

By Mr. UNDERHILL: Resolutions of the Sons of the Revolution in the State of New York, in favor of House bill 15471, appropriating \$30,000 for the repair and preservation of flags at the Naval Academy, Annapolis, Md.; to the Committee on Naval Affairs.

By Mr. WEBB: Petitions of citizens of Charlotte, N. C., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. WILLIS: Petition of Delaware Tribe, No. 82, Improved Order of Red Men, Delaware, Ohio, asking for the enactment of an act to provide for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of the American Association of Labor Legislation, asking for the immediate enactment of the Esch phosphorus bill; to the Committee on Ways and Means.

Also, petition of H. B. Conyers and 35 other citizens of Urbana, Ohio, protesting against the enactment of any legislation for the extension of the parcel post; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of Illinois: Petitions of citizens of numerous States, in favor of House bill 18787, relating to the limitation of the hours of daily service of laborers and mechanics employed upon a public work of the United States and of the District of Columbia, and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia; to the Committee on Labor.

By Mr. WILSON of New York: Memorial of the Congress Club of Kings County, for free passage of American ships through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of a Catholic society of Chicago, Ill., relative to a certain resolution of inquiry; to the Committee on Indian Affairs.

Also, petition of Tenement House Committee of the Brooklyn Bureau of Charities, for a Federal commission on industrial relations; to the Committee on Labor.

Also, memorial of New York State Assembly, for militia pay bill; to the Committee on Military Affairs.

Also, petition of numerous citizens, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Legislative League of New York, for children's bureau; to the Committee on Labor.

Also, memorial of the Maritime Exchange of New York, protesting against abolishing the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD of New Jersey: Petition of the Reformed Church of Bedminster, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. YOUNG of Kansas: Petitions of citizens of Alton and Lucas, Kans., asking for legislation to prohibit shipping of intoxicating liquor into prohibition territory; to the Committee on the Judiciary.

Also, petition of citizens of Phillips and Norton Counties, Kans., protesting against the passage of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the sixth district of Kansas, asking that a law be passed giving the Interstate Commerce Commission more power to regulate express rates and express classification; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, February 21, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the council of the American Association for the Advancement of Science at a meeting held in Washington, D. C., December 27, 1911, favoring the enactment of a national quarantine and inspection law directed against the introduction and establishment of injurious insects and plant diseases, which was referred to the Committee on Public Health and National Quarantine.

Mr. CRAWFORD presented a petition of sundry citizens of Westport and Barnard, in the State of South Dakota, praying for the adoption of certain amendments to the postal-savings law, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented a petition of sundry citizens of Fowler, Kans., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. GRONNA presented a petition of the Woman's Christian Temperance Union of Pembina, N. Dak., and a petition of sundry citizens of Leal, N. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Bowman, N. Dak., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Rolette County, N. Dak., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

Mr. CULLOM presented memorials of sundry citizens of Macomb and Alton, in the State of Illinois, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Post A, Illinois Division, Travelers' Protective Association of America, of Quincy, Ill., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Post No. 374, Department of Illinois, Grand Army of the Republic, of Waukegan, Ill., praying for the passage of the so-called dollar-a-day pension bill, which was ordered to lie on the table.

Mr. GAMBLE presented a petition of the Woman's Christian Temperance Union of Mitchell, S. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented the petition of Ralph L. Brown, of Aberdeen, S. Dak., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a petition of members of the Commercial Club of Bellefourche, S. Dak., praying for the establishment of an experimental town mail-delivery system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of members of the Commercial Club of Bellefourche, S. Dak., praying for the enactment of legislation to better regulate the immigration of aliens, which was referred to the Committee on Immigration.

Mr. JOHNSON of Maine presented petitions of the congregations of the Methodist Episcopal Church of Fairfield; the First Baptist Church of Nobleboro; and the Penny Memorial Church of Augusta; of the Woman's Christian Temperance Unions of St. Albans and Kezar Falls; and of Local Grange No. 369, Patrons of Husbandry, of Nobleboro, all in the State of Maine, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. SWANSON presented memorials of the Retail Merchants' Association, the Board of Trade, and of sundry citizens of Lynchburg, all in the State of Virginia, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented the petition of O. L. Kent, of Kents Store, Va., praying for the adoption of a parcel-post system, for national aid to good roads, and to prohibit gambling in farm products, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of W. C. Pulliam, secretary of Local Union, Farmers' Cooperative and Educational Union, of Alton, Va., and the petition of J. M. Chaney, secretary of Local Union, Farmers' Cooperative and Educational Union, of Meadville, Va., praying for the enactment of legislation to further restrict immigration, to prohibit gambling in farm products, and for the establishment of a parcel-post system, which were referred to the Committee on Immigration.

Mr. BURTON presented a memorial of Local Grange No. 10, Patrons of Husbandry, of Burton, Ohio, remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Ohio, remonstrating against the adoption of certain amendments to the law regulating the equipment of motor boats, which was referred to the Committee on Commerce.

He also presented a petition of Web Pressmen's Local Union No. 15, of Columbus, Ohio, praying for the enactment of legislation proposing to increase the rate of compensation of pressmen in the Government Printing Office, which was referred to the Committee on Printing.

He also presented a petition of Lemert Post, No. 71, Department of Ohio, Grand Army of the Republic, of Newark, Ohio, praying for the passage of the so-called dollar-a-day pension bill, which was ordered to lie on the table.

He also presented a petition of the Farmers' Institute of Greenwich, Ohio, praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. KERN presented a petition of members of the Turnverein Vorwärts, of Fort Wayne, Ind., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, with the so-called Root amendment, and also for the ratification of a similar treaty with Germany, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Indianapolis, Ind., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented memorials of the Alliance of German Societies, of the Saxonia Singing Society, of the Concordia Singing Society, of the Plattdeutscher Verein, and the Turnverein Vorwärts, all of Fort Wayne, in the State of Indiana, remonstrating against the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Poneto, Ind., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a petition of William Landon Post, No. 290, Department of Indiana, Grand Army of the Republic, of Knox, Ind., and a petition of Chaplain Brown Post, No. 106, Department of Indiana, Grand Army of the Republic, of Valparaiso, Ind., praying for the passage of the so-called dollar-a-day pension bill, which were ordered to lie on the table.

Mr. O'GORMAN presented a petition of members of the Central Turnverein, of New York, N. Y., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a memorial of Chenango Council, No. 355, United Commercial Travelers of America, of Norwich, N. Y., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the German-American Central Association, of Elizabeth, N. J., and a memorial of the German-American Central Union, of Wheeling, W. Va., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Binghamton, Endicott, and Prince Bay, all in the State of New York; praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. WETMORE presented petitions of Allyn K. Capron Camp, No. 1, of Providence; Rudolph H. Breault Camp, No. 7, of Woonsocket; Robert Brucker Camp, No. 6, of Westerly; and of Rear Admiral Charles M. Thomas Camp, No. 3, of Newport, all of the United Spanish War Veterans, in the State of Rhode Island, praying that pensions be granted to the widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection, which were referred to the Committee on Pensions.

He also presented petitions of Allyn K. Capron Camp, No. 1, of Providence; of Rudolph H. Breault Camp, No. 7, of Woonsocket; of Robert Brucker Camp, No. 6, of Westerly; and of Rear Admiral Charles M. Thomas Camp, No. 3, of Newport, all of the United Spanish War Veterans, in the State of Rhode Island, praying for the enactment of legislation providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel, which were ordered to lie on the table.

Mr. ROOT presented petitions of the congregations of the Methodist Episcopal Church of West Dryden, of the Methodist Episcopal Church of Freeville, of the Woman's Christian Temperance Union of Enfield, and of members of the Christian Endeavor Union of Rochester, all in the State of New York, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. SMITH of Maryland presented petitions of the congregations of the Stevenson Methodist Episcopal Church, of Berlin; the Methodist Episcopal Church and the Methodist Protestant Church of Sharptown, and of the Woman's Christian Temper-

ance Unions of Berlin, Denton, Baltimore, and Hurlock, all in the State of Maryland, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented a petition of members of the Turnverein of Fort Wayne, Ind., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, with the so-called Root amendment, and also for the ratification of a similar treaty with Germany, which was ordered to lie on the table.

He also presented the memorial of John Knitzele, of Michigan City, Ind., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of William Landon Post, No. 290, Department of Indiana, Grand Army of the Republic, of Knox, Ind., and a petition of Chaplain Brown Post, No. 106, Department of Indiana, Grand Army of the Republic, of Valparaiso, Ind., praying for the passage of the so-called dollar-a-day pension bill, which were ordered to lie on the table.

He also presented memorials of the Alliance of German Societies, of the Saxonia Singing Society, of the Concordia Singing Society, of the Plattdeutscher Verein, and the Turnverein Vorwärts, all of Fort Wayne, in the State of Indiana, remonstrating against the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. BROWN presented a petition of sundry citizens of Creighton, Nebr., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry members of the National Guard, residents of Schuyler, Osceola, Blair, and Beaver City, all in the State of Nebraska, praying for the passage of the so-called militia pay bill, which were referred to the Committee on Military Affairs.

He also presented the memorial of Andrew J. Plumer, of Lincoln, Nebr., remonstrating against the present application of the so-called Carey Act and praying that an investigation be made as to whether the State of Nebraska has been discriminated against in reference thereto, which was referred to the Committee on Public Lands.

Mr. BURNHAM presented a petition of members of the City Council of Portsmouth, N. H., praying that an appropriation be made for the survey of the Piscataqua River and Portsmouth Harbor in that State, which was referred to the Committee on Commerce.

Mr. DU PONT presented a petition of the Zion Woman's Christian Temperance Union, of Milton, Del., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. PAGE presented a petition of Local Lodge No. 704, Brotherhood of Railroad Trainmen, of Bellows Falls, Vt., praying for the adoption of a certain amendment to the bill regulating the number of trainmen employed on locomotives engaged in interstate commerce, which was referred to the Committee on Interstate Commerce.

Mr. CLAPP presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of St. Paul, Minn., remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, unless amended as reported by the Senate Committee on Foreign Relations, and also for the ratification of a similar treaty with Germany, which was ordered to lie on the table.

He also (for Mr. LA FOLLETTE) presented memorials of sundry citizens of West Bend, Dallas, Middletown, Ciam Falls, Clyman, and Lone Rock, all in the State of Wisconsin, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also (for Mr. LA FOLLETTE) presented memorials of sundry citizens of Oshkosh, Edgerton, and Albion, all in the State of Wisconsin, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also (for Mr. LA FOLLETTE) presented a petition of Local Union No. 5843, American Society of Equity, of Hamburg, Wis., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. LA FOLLETTE) presented a petition of the Municipal Council of Valdez, Alaska, praying that an appropriation of \$1,000,000 be made for the construction of permanent roads and trails in that Territory, which was referred to the Committee on Territories.

He also (for Mr. LA FOLLETTE) presented a memorial of sundry citizens of Oshkosh, Wis., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in post offices, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. LA FOLLETTE) presented resolutions adopted by the City Council of Two Harbors, Minn., favoring an investigation of alleged combination between wholesale dealers in coal of Duluth and Superior, Minn., in restraint of trade, which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. JONES, from the Committee on Claims, to which was referred the bill (S. 2429) for the relief of Milton C. Connors and George G. Connors, doing business under the firm name of Connors Bros., submitted an adverse report (No. 396) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. BRISTOW, from the Committee on Claims, to which was referred the bill (S. 1638) for the relief of the heirs of Charles N. Gregory, deceased, submitted an adverse report (No. 397) thereon, which was agreed to, and the bill was postponed indefinitely.

EMPLOYERS' LIABILITY (S. DOC. NO. 338).

Mr. SMOOT. From the Committee on Printing, I report back Senate concurrent resolution 11, submitted yesterday by the Senator from Utah [Mr. SUTHERLAND], with an amendment in the nature of a substitute, and I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The amendment was to strike out all after the resolving clause and to insert:

That there be printed 10,000 additional copies of the message of the President of the United States transmitting the report of the Employers' Liability and Workmen's Compensation Commission, together with the hearings held before the commission, of which 2,500 copies shall be for the use of the Senate, 5,000 copies for the use of the House of Representatives, and 2,500 copies for the use of the Committee on the Judiciary of the Senate; and

That there be printed as a Senate document, in one pamphlet, 25,000 copies of the message and report only, of which 5,000 copies shall be for the use of the Senate, 12,500 copies for the use of the House of Representatives, and 7,500 copies for the use of the Committee on the Judiciary of the Senate.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5416) to regulate the admission of aliens into the United States; to the Committee on Immigration.

By Mr. JOHNSON of Maine:

A bill (S. 5417) for the relief of George Lemuel Turner; to the Committee on Claims.

A bill (S. 5418) granting a pension to Delia Schofield; and

A bill (S. 5419) granting an increase of pension to Elisha G. Norton (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 5420) for the relief of Henry A. V. Post, individually and as liquidating partner of the firm of Clark, Post & Martin; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 5421) for the relief of David R. Mister; to the Committee on Claims.

A bill (S. 5422) granting an increase of pension to Winfield S. Bruce; to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 5423) for the relief of Emma Morris; and

A bill (S. 5424) for the relief of Joseph Kuehne; to the Committee on Claims.

A bill (S. 5425) granting a pension to John C. McIntire; to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 5426) granting an increase of pension to Horace W. White (with accompanying papers); and

A bill (S. 5427) granting an increase of pension to John Savage (with accompanying papers); to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 5428) to amend an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909; to the Committee on Public Lands.

By Mr. PERKINS:

A bill (S. 5429) to amend the laws relating to navigation (with accompanying paper); to the Committee on Commerce.

By Mr. JONES:

A bill (S. 5430) authorizing the Bureau of Forestry to cooperate with the University of the State of Washington in the investigation of the best methods of distillation applicable to Douglas fir and other northwest timber, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 5431) to regulate the hours of labor of clerks in first and second class post offices; to the Committee on Post Offices and Post Roads.

By Mr. OLIVER:

A bill (S. 5432) for the relief of the Philadelphia & Reading Coal & Iron Co. and Walston H. Brown; to the Committee on Claims.

A bill (S. 5433) for the proper recognition of the services rendered by Herman Haupt during the Civil War; to the Committee on Military Affairs.

By Mr. KERN:

A bill (S. 5434) granting a pension to Sarah L. Craig; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 5435) granting an increase of pension to Marshall Canfield;

A bill (S. 5436) granting an increase of pension to Andrew B. Keith;

A bill (S. 5437) granting an increase of pension to John Groves;

A bill (S. 5438) granting an increase of pension to Martha E. Jackson; and

A bill (S. 5439) granting a pension to Kate G. Morris; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 5440) to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

By Mr. WARREN:

A joint resolution (S. J. Res. 79) authorizing the Secretary of the Interior to lease certain coal deposits in the State of Wyoming; to the Committee on Public Lands.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MARTIN of Virginia submitted an amendment proposing to appropriate \$20,040 for the support and education of 120 Indian pupils at the school at Hampton, Va., etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to increase the salary of one clerk in the executive office of the Commissioners of the District of Columbia from \$1,300 to \$1,400, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on the District of Columbia and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. WORKS submitted an amendment intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, which was referred to the Committee on Claims and ordered to be printed.

WITHDRAWAL OF PAPERS—WILLIAM P. ARMSTRONG.

On motion of Mr. JONES, it was

Ordered, That leave be granted to withdraw from the files of the Senate, without leaving copies, the discharge papers in the case of William P. Armstrong, late of Battery H, Third Regiment United States Artillery, War with Spain, Senate bill 9868, third session Sixty-first Congress, no adverse report having been made thereon.

AFFAIRS WITH COLOMBIA.

Mr. HITCHCOCK. I send the following resolution to the desk and ask that it be read.

The resolution (S. Res. 226) was read, as follows:

Resolved, That the Committee on Foreign Relations be, and it is hereby, directed to ascertain and report to the Senate the facts relating to the claim of the Republic of Colombia against the United States arising out of the formation and recognition of the Republic of Panama and the cession of the Panama Canal strip to the United States, including in said report the correspondence between the United States and Colombia relative to arbitration.

Mr. HITCHCOCK. If there is no objection from the chairman or members of the Committee on Foreign Relations, I should like to have the resolution adopted instead of being referred to the committee.

Mr. LODGE. I should like to hear the resolution again read. My attention was diverted.

The VICE PRESIDENT. The Secretary will again read the resolution.

The Secretary again read the resolution.

Mr. LODGE. That, I think, is executive business.

The VICE PRESIDENT. The question is on the present disposition of the resolution which is presented.

Mr. LODGE. I make the point of order that it ought to be offered in executive session. It relates to executive business entirely.

Mr. HITCHCOCK. Mr. President, the resolution I have submitted is proper business for public consideration. The information once secured would be executive business.

The VICE PRESIDENT. It seems to the Chair that the resolution is properly here now, and the question is whether it shall be acted on at once or referred.

Mr. LODGE. I think it ought to be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be referred to the Committee on Foreign Relations.

EXPENSES IN THE PHILIPPINES.

Mr. OVERMAN submitted the following resolution (S. Res. 224), which was read and referred to the Committee on the Philippines:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to send to the Senate a statement of the amount of money expended by the United States in, for, and on account of the Philippine Islands since the 1st day of July, 1902, including expenses of building roads, fortifications, equipment, supplies, and military operations.

PRESERVATION OF NIAGARA FALLS.

Mr. BURTON submitted the following resolution (S. Res. 227), which was read and referred to the Committee on Printing:

Resolved, That there be printed, in the form of a single document, 2,000 copies of Senate Document No. 105, Sixty-second Congress, first session, and Senate Document No. 246, Sixty-second Congress, second session, relating to the preservation of Niagara Falls.

SENATOR FROM WISCONSIN.

The VICE PRESIDENT. The morning business is closed.

Mr. HEYBURN. Mr. President, I ask the Senate to proceed to the consideration of the question of the highest privilege.

The VICE PRESIDENT. The Secretary will state it.

The SECRETARY. Order of Business 299, Senate resolution 236, a resolution directing the Committee on Privileges and Elections to investigate certain charges relative to the election of ISAAC STEPHENSON.

The VICE PRESIDENT. Unless some action by the Senate to the contrary is taken, the Chair thinks the proper procedure is to continue the reading of the reports, which was begun yesterday.

Mr. HEYBURN. The regular order.

The VICE PRESIDENT. The Secretary will proceed with the reading.

The Secretary read as follows:

VIEWS OF MR. POMERENE AND MR. SUTHERLAND.

The Senate Committee on Privileges and Elections authorized and directed its subcommittee "to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and to report whether 'there was used or employed corrupt methods or practices' in his election."

Without intending to specifically enumerate the charges made or to review in extenso the evidence in support or in refutation thereof, it will be sufficient for our purpose to classify the charges and evidence pertaining thereto as follows:

First, those connected with the proceedings of the legislature affecting the election; and,

Second, those growing out of the primary election.

PROCEEDINGS OF THE LEGISLATURE.

Each house, pursuant to the Federal statute, convened for the election of the United States Senator on January 26, 1909. The senate consisted of 33 members and the assembly of 100 members. Thirty-three members of the senate were present, and before balloting passed a resolution providing that "any senator who does not wish to vote for a candidate may vote by answering 'present.'" The roll was called, and 17 senators voted for candidates, 12 of whom voted for ISAAC STEPHENSON. The 16 other senators simply voted "present." In other words, a quorum, in the language of the statute, voted for "one person for Senator in Congress," and of this quorum ISAAC STEPHENSON received a majority. While the vote "present" of the 16 senators was in accordance with the resolution passed, we do not believe it could either add to or detract from the requirements of the statute. All members, no doubt, should have voted for "some person," but 16 voted "present," which was equivalent to a blank vote.

In the language of the majority of the committee in *Ransom v. Abbott*, "Senate Election cases," page 400, "The vote must be for a person, not a blank—in fact, not for a myth, but for a person."

Without intending to review the authorities, it is clearly established that "votes knowingly cast for a candidate who can not possibly exercise the function of the office if elected are thrown away." (*State ex rel. Bancroft v. Frear*, 144 Wis., 87.) And if this be true it must follow that a mere vote of "present" is nothing more than a vote for "no person," or, in other words, a "blank," and should not, therefore, be counted in determining whether Senator STEPHENSON received a majority of the quorum of those who voted for "one person for Senator," and thereby complied with the letter and spirit of the statute.

For other authorities bearing upon this proposition see *Sawyer v. Makie* (149 Mass., 269); *Cooley on Constitutional Limitations* (1932,

Note 1); *Rushville Gas Co. v. Rushville* (6 L. R. A., 315); *Hopkins v. Duluth* (81 Minn., 189); and *Commonwealth v. Cluley* (56 Pa. St., 270).

On the same day in the assembly 82 votes out of the 100 assemblymen were cast, and ISAAC STEPHENSON received 60 out of the 82 votes. He, therefore, received, in our judgment, "a majority of the whole number of votes cast in each house." The vote thus cast was entered upon the journal of the senate and of the house. In conformity with the provisions of the Federal statute, the members of the two houses convened at 12 o'clock noon, on the day following, in joint assembly. The journal of each house was read, and showed the result of the balloting on the previous day in each house separately, as hereinbefore stated. Having received a majority of all of the votes cast in each house, it was the duty of the presiding officer to declare Senator STEPHENSON duly elected. This was purely a ministerial duty, and the mere fact that he failed to perform that duty could not, under any legal principle, undo that which was legally done in the separate and joint sessions, and, except for this failure of the presiding officer, was completely done.

Instead of declaring the result, over the protest of Senator Hudnall, a ballot was ordered and taken on that day and on each succeeding day until and including the 4th day of March, 1909. Prior to March 4 no one in any of the sessions received a majority of the votes cast. On March 4 there were 123 votes cast, of which ISAAC STEPHENSON received 63, and he was then declared duly elected.

CHARGES OF CORRUPTION IN ACTION OF GENERAL ASSEMBLY.

Charges of corruption were made to the effect that—

(a) Assemblyman Leuch was offered money to go upon the floor and vote for the purpose of effecting a quorum;

(b) That Assemblyman Joseph Damochowski had been offered \$1,500 for his vote; and

(c) That Assemblymen Farrel, Ramsey, and Towne absented themselves from the joint session of the joint assembly on March 4 through corrupt influences.

CHARGE AS TO ASSEMBLYMAN LEUCH.

He testified that David H. Davies, on March 1, 1909, said: "I have authority to tell you that you can have anything you want if you will stay in the joint convention to-day and vote." Mr. Davies denied having any such conversation, and swore that he neither authorized nor was in a position to pay or promise Mr. Leuch anything whatsoever. Whether this conversation occurred or not, there is no evidence connecting it directly with Senator STEPHENSON, or even indirectly through any authorized agent.

CHARGE AS TO ASSEMBLYMAN DAMOCHOWSKI.

There was testimony to the effect that Joseph A. Damochowski had said to several parties that he had been offered \$1,500 for his vote in the assembly. He admitted that he had so stated upon several occasions, but in explanation thereof said that any statements he made to that effect were in jest, and that no such offer was in fact made. Outside of these admitted statements, there was no evidence either that any bribe had been offered to or received by him, and no evidence tending to connect Senator STEPHENSON or his managers with this alleged attempt to bribe.

MEMBERS ABSENTING THEMSELVES ON MARCH 4.

On March 4, 123 members of the joint assembly were present and voting. Sixty-three members, being a majority of those voting, cast their ballots for Mr. STEPHENSON, and, having for the first time received a majority of those voting in the joint session, he was duly declared elected.

We think it is fair to say that the record shows that an effort was made by some of the friends of Mr. STEPHENSON either to pair some of those who were opposed to STEPHENSON's election with those who were absent and favorable to his election, or to secure the absence of those who were opposed to his election, for the purpose of reducing the number who might be in the joint session and voting, and thereby enable those who were favorable to his election to have a majority of the votes cast.

Richard J. White, a friend of Mr. STEPHENSON, succeeded in pairing Ramsey, a Democrat, who was opposed to STEPHENSON's election, with Mr. Fenelon, who was a supporter of Mr. STEPHENSON and because of sickness was not able to attend the session.

Towne, a Democrat, left the chamber just before the voting began and was taken into a cloakroom by C. C. Wayland, one of Mr. STEPHENSON's lieutenants, and there held in conversation while the balloting was going on, and we have no doubt that Wayland purposely detained him, and Towne—to say the least—was indifferent about the situation.

Farrel left the assembly room before the roll was called and went to a café for luncheon, and did not return until some time after the result of the election had been declared. The absence of Towne and Farrel while the joint assembly was in session is not consistent with their duties as assemblymen, nor is their explanation satisfactory. But, whatever the facts may be, there is no evidence in the record, nor any obtainable, so far as the committee knows, which would justify the conclusion that the absence of any of these three men was secured by corrupt means. It was necessary for Ramsey, Farrel, and Towne all to have been present and voting in order to prevent STEPHENSON from having a majority vote in the session. The other seven absentees were satisfactorily accounted for, and no suspicion, so far as we know, attaches to them.

We therefore conclude:

First, that the election in fact occurred on January 26, 1909; and
Second, that there is no evidence justifying the conclusion that corrupt "methods or practices" were employed in securing the vote on March 4, 1909, even if it should be held that the election took place on March 4.

PRIMARY ELECTION IRREGULARITIES.

Senator STEPHENSON's account filed with the secretary of state shows that there was expended by him and through his committee in connection with the primary election \$107,793.05. He received 56,909 votes, which cost him \$1.89 for every vote cast.

These expenditures, for the purpose of this report, may be divided into the following classes:

First, moneys paid out to persons employed by him or in his behalf to circulate nomination papers in order to get the number of signatures required by the Wisconsin statutes before his name could be placed upon the ticket;

Second, moneys paid out as follows:

- (a) to newspapers for political advertising;
- (b) for editorial support;
- (c) for lithographs, campaign material, postage, telephone, telegraph, and express charges;
- (d) office expenses, including rent, clerk hire, and assistants.

Third, payment for services of speakers, hall rent, music, and for men devoting their time and efforts in cultivating Stephenson sentiment throughout the State;

Fourth, moneys expended for workers at the polls, and for conveyances and services in getting out the voters;

Fifth, for drinks and cigars;

Sixth, money given to C. C. Wellensgard, L. L. Bancroft, and Thomas Reynolds, who were candidates for the legislature, to be used by them in the interest of Senator STEPHENSON;

Seventh, money paid to the game warden, John W. Stone, for use in the Senator's campaign;

Eighth, \$2,000 contributed by Senator STEPHENSON to the State campaign committee for general election purposes; and

Ninth, expenses incurred during the session of the general assembly in opening and maintaining headquarters at Madison from the beginning of the session until after March 4, 1909, and for hotel bills and traveling expenses.

No part of the contribution to the general campaign committee or the expenses incident to the headquarters during the session of the general assembly were ever reported to the secretary of state.

The above we believe to fairly represent the different classes of expenditure which were disclosed by the evidence.

There was no evidence before the committee from which it could be fairly concluded that any of this money was expended for "corrupt methods or practices," unless those recited are to be construed as corrupt under the provisions of the Wisconsin statutes.

MANAGEMENT OF THE CAMPAIGN.

The testimony showed that Senator STEPHENSON had on deposit in the Marshall & Hilsley Bank \$50,000, which was used in the campaign, with other added as required. His campaign was in charge of E. A. Edmonds, J. H. Puelicher, and Rodney Sackett.

There are 71 counties in the State and 2,200 election precincts. The method of the managers was to employ a lieutenant or campaign manager in each of the counties. In several instances one man had charge of a number of counties. Arrangements were made with these managers by which sums of money would be placed in their hands varying from \$100 or several hundred dollars to several thousand dollars. In some instances the manager was not given, and would not accept, compensation for his services. In others definite arrangements were made for the amount of compensation the manager was to receive, and in many cases the manager would determine and retain for himself such sum or sums as he deemed proper. It is quite clear that a very substantial part of the money expended in the organization of the several counties never went beyond the pockets of those who received it. The money expended by these managers, so far as the testimony discloses, was for one or more or all of the purposes above described.

WISCONSIN ELECTION STATUTES.

The Wisconsin statutes defining election offenses are fully set forth on pages 10, 11, and 12 of the views submitted by Senator HEBURN, chairman of the subcommittee, and it will not be necessary, therefore, to insert them here.

APPLICATION OF THE LAW TO THE FACTS—NOMINATION PAPERS.

Before a candidate for office is entitled to have his name placed upon the ticket at a primary the Wisconsin statute requires that petitions or nomination papers shall be filed, signed by at least 1 per cent of the voters of his party in at least each of six counties in the State, and in the aggregate not less than 1 per cent nor more than 10 per cent of the total vote of his party in the State.

The testimony shows that Senator STEPHENSON hired and paid men to circulate his nomination papers in order to get the required number of signatures, but there was no evidence showing that any money was paid, in the language of the statute, to induce anyone to sign his nomination papers, and we do not think it was seriously claimed by those who were interested in the instigation of these proceedings that any money was unlawfully expended for this purpose.

EXPENDITURES OF MONEY DURING THE PRIMARY CAMPAIGN.

Was it a violation of the statute to pay out money for political advertising in the newspapers, or for editorial support, or for lithographs, campaign material, or for telegraph, telephone, or express charges, or for office expenses, including rent and hire of assistants, or for the hiring of speakers, halls, rent, music, and for men devoting their time and efforts to cultivating Stephenson sentiment throughout the State, or to pay workers at the polls, or for conveyances and services in getting out the voters, or for money for drinks and cigars given in a social way during the campaign?

A careful examination of the bribery statutes of Wisconsin will indicate clearly that the expenditures of money of the character recited only comes within the inhibitions thereof, when they are made corruptly, unless section 298 forbids it. This section reads:

"Every person who, by bribery or corrupt or unlawful means, prevents or attempts to prevent any voter from attending or voting at any caucus mentioned in this act, or who shall give or offer to give any valuable thing or bribe to any officer, inspector, or delegate, whose office is created by this act, or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in relation to such caucus or convention * * * shall be deemed guilty of a misdemeanor," etc.

None of these expenditures can come within any of the provisions of this section, unless it be a violation of this language: "or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in relation to such caucus or convention."

It should be stated that by sections 39 and 40 of the election laws of Wisconsin the criminal penalties applying to a caucus and elections are made applicable to primary elections.

If the words "to give any valuable thing" are to be given a comprehensive and literal interpretation, and to prohibit the giving or offering of "any valuable thing," "as a consideration for some act" to be done, it would not have been necessary to write into the statute the words "or bribe," because the former expression would include the latter. The purpose of the statute is evidently to prohibit corrupt giving.

Words of a general import in the statute are limited by words of restricted import immediately following and relating to the same subject." (36 Cyc., 1119, *Nance v. Southern R. R. Co.*, 149 N. C. 366.)

"In interpreting a statute, where the language is of doubtful meaning, the court will reject an interpretation which would make the statute harsh, oppressive, inequitable, or unduly restrictive of primary private rights." (*Nance v. Southern R. R. Co.*, 149 N. C. 366.) To the same effect, *State ex rel. v. Jackson*, 168 Indiana, 389.

Again, section 4543-C requires the filing of accounts of expenditures of a candidate. This must contemplate that there are expenditures which can not in anywise be regarded as a violation of the Wisconsin

laws. If a literal interpretation is to be given to the words, "any valuable thing" * * * as a consideration for some act to be done," and some expenditures be prohibited, whether morally corrupt or in-correct, would the legislature require the candidate to convict himself by filing an account? This is a criminal statute, and it must be strictly construed against the State and in favor of the defendant when charged with its violation.

Applying these rules, therefore, it would seem that the statute prohibited the giving of any valuable thing corruptly or in the nature of a bribe.

We have no sympathy whatever with the expenditure of money in excessive amounts, whether in a senatorial or any other political campaign. That an expenditure of \$107,793.05 is an excessive amount to be spent in the candidacy for the office of United States Senator, which pays a salary for six years' service amounting to \$45,000, goes without question; that it is demoralizing and should be prevented can not be denied; that some of this money might have been spent corruptly may, for the sake of the argument, be conceded, but it is not sufficient that possible or even probable corruption or bribery exists. The evidence must show it, and this case, like all other cases, must be determined from the facts as they are disclosed in the trial and under the law as it then existed. The committee, proceeding upon the assumption that the expenditure of so large a sum of money required the fullest investigation and explanation, probed every rumor and followed every clew which was brought to its attention, with the result that no evidence was discovered which would justify the conclusion that any of this sum of money was corruptly or illegally spent.

At the time of this primary there was no statute, either State or National, limiting the amount of expenditures. There is no judicial or legislative decision, so far as we are advised, limiting the amount which may be legally expended. Can we, in the face of the fact that the Congress of the United States and the General Assembly of the State of Wisconsin prior to this election failed to limit election expenditures, now arbitrarily determine that because this sum was spent it was illegally and fraudulently expended, and therefore vacate the Senator's seat? Can it be said that the expenditure of such a sum is in contravention of a public policy which must be given the force and effect of a statute? If so, where does public policy draw the line between what shall be a legal and an illegal amount? The situation is unfortunate, but the Congress and the State legislature are to blame for not having limited the expenses by statute. Laws can not be enforced retroactively, and surely this case must be decided in accordance with what the law then was and not in accordance with what the law ought to be. Since that election the State of Wisconsin has limited the amount of expenditure in a senatorial campaign to \$7,500 and the Federal Government has limited it to \$10,000.

EFFECT OF THE PRIMARY LAW.

It is strenuously argued on behalf of Senator STEPHENSON that even if the primary law of Wisconsin was violated its provisions are unconstitutional, because section 3 of Article I of the Federal Constitution provides that Senators shall be chosen by the legislature and because section 4 gives Congress the right to prescribe the time and manner of holding elections for Senators and that this power has been exercised by the Congress in the manner prescribed by sections 14 and 15 of the Revised Statutes of the United States.

The Wisconsin primary law, in substance, provides (chap. 451, Laws of 1903) as follows:

"Party candidates for the office of United States Senator shall be nominated as other State officers. (Subdivision 3 of sec. 2.) Nomination papers for candidates for the office of United States Senator shall be filed in the office of the secretary of state. (Subdivision 1 of sec. 6.) The person receiving the greatest number of votes at the primary as the candidate of the party for the office voted for shall be the candidate of that party for such office (subdivision 1, sec. 18), and the secretary of state is required to publish in the official State paper a statement of the result of the canvass of the primary as soon as the same is certified to him."

These are all of the requirements found in the Wisconsin law pertaining to the nomination of party candidates for the office of United States Senators.

May the people of a sovereign State not provide for a method of expressing their sentiment in the selection of a Senator who shall represent that State in the United States Senate? May they not petition in such form and manner as to them may seem proper? And if it is their desire to so petition, may they not prescribe the method of petitioning so as to make the result of this petition, whether it be in the form of a letter to the members of the general assembly or in the form of a primary, an honest expression of their views?

The constitutionality of the above provisions of the Wisconsin law was passed upon by the supreme court of that State in the case of *State ex rel. Van Alstine v. Frear* (142 Wis., 320). On page 349 Barnes, J., in delivering the opinion of the majority of the court, says:

"Our constitutions, State and National, guarantee the right of petition. Every citizen of the State has the right to petition the legislature asking that the candidate of his choice be elected United States Senator. Every citizen of a senatorial or assembly district has the right to petition his local representative to the same effect. The law-maker is thus advised of public sentiment, a potent factor for him to consider in connection with other matters in arriving at a conclusion. Wherein does the primary nomination for United States Senator differ from the exercise of the right of petition? The legislative candidate is thereby informed of something that he has the right to know and of something that it is his duty to heed. He may not regard the verdict at the polls as obligatory, but should treat it as advisory. Moral suasion may be a perfectly legitimate agency to employ even in the election of a United States Senator. That the electors in the exercise of their guaranteed right of petition might do in substance and effect what they now do at the primaries hardly admits of controversy. The framers of the Constitution could not have supposed that there was any impropriety in the people advising their representatives of how they desired them to vote on the senatorship, else an exception would have been incorporated in the clause guaranteeing the right of petition, restricting its application to matters other than the election of United States Senators."

It will be conceded that while the result of a primary election, under the present constitutional provisions, could not control the State senators and representatives in their choice of a United States Senator, would not an expression of the will of the people at a primary election have great weight with their representatives in casting their votes? And, if this be so, ought not the primary election held to declare this choice be carefully guarded by suitable penalties? We have no hesitancy in saying that if the evidence disclosed the use of corrupt methods

at the primaries, it would affect the result of the election by the general assembly, and the Senate would be justified in taking cognizance of that fact and unsentencing any Senator who was thus delinquent.

MONEYS GIVEN TO CANDIDATES FOR THE LEGISLATURE.

The testimony disclosed that Senator STEPHENSON, before the primary, gave money to C. C. Wellensgard, L. H. Bancroft, and Thomas Reynolds, who were then candidates for the legislature. They did not live in the same district or county with Mr. STEPHENSON. They were his personal friends. The money was given them to be used in behalf of Senator STEPHENSON for the nomination as the Republican candidate for Senator.

It may be said that this money was probably used by these men to further their own interests, as well as to further the interests of Mr. STEPHENSON. But, whether it was so used or not, there is no evidence that it was so used, or that it was given to them for that purpose.

On the contrary, the affirmative and uncontradicted testimony is all to the effect that this money was used strictly in the interest of Mr. STEPHENSON and none of it to further the interest of any of the legislative candidates.

MONEY PAID TO GAME WARDEN JOHN W. STONE.

Mr. STEPHENSON's campaign managers gave to John W. Stone, the game warden of the State, \$2,849.50 for campaign purposes. This was distributed among a number of the deputy game wardens; he retained some portion of it himself, and in testifying before the legislative committee falsely stated the amount he had paid out.

Section 990-28 (sec. 28, ch. 363, 1905) provides:

"No officer, agent, clerk, or employee under the government of the State shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution, or political service, whether voluntary or involuntary, for any political purpose whatever, from any officer, agent, clerk, or employee of the State."

This statute makes it an offense for any officer, agent, clerk, or employee under the government of the State to solicit or receive any assessment, subscription, or contribution, or political service from any officer, agent, clerk, or employee of the State. It is clear that this statute was not violated by Senator STEPHENSON, since he was not an officer, agent, clerk, or employee of the State. Moreover, the statute makes it an offense on the part of the recipient of the fund only. No offense is committed by the donor. It is true, the money should not have been paid to the game warden, and the giving of it does not show that fine discrimination which ought to be characteristic of men who are engaged in a campaign of this character. No law was violated by the donor, and this election can not be declared illegal because this expenditure was made.

FILING OF ACCOUNTS.

Section 4543-C of the revised statutes of Wisconsin requires the making out and filing with the secretary of state a statement in writing, subscribed and sworn to by the candidate "setting forth in detail each item in excess of \$5 in money, or property contributed, disbursed, expended, or promised by him, and to the best of his knowledge and belief by any other person or persons for him, or in his behalf, wholly or in part in endeavoring to secure or in any way in connection with his nomination or election to such office or place, or in connection with the election of any other person at said election, the dates when, and the persons to whom, and the purpose for which all said sums were paid, expended, or promised by such candidate in any sum or sums whatever."

Mr. WILLIAMS. Mr. President, this seems to be a very interesting document to those who are present. I would suggest the absence of a quorum.

The VICE PRESIDENT. And the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Curtis	McCumber	Shively
Bailey	Dillingham	McLean	Smith, Ga.
Borah	du Pont	Martin, Va.	Smith, S. C.
Bourne	Fletcher	Martine, N. J.	Smoot
Brandeggee	Foster	Myers	Stephenson
Bristow	Gallinger	Nixon	Sutherland
Brown	Gamble	O'Gorman	Swanson
Bryan	Gardner	Oliver	Thornton
Burnham	Gronna	Overman	Tillman
Burton	Heyburn	Page	Townsend
Chamberlain	Johnson, Me.	Perkins	Warren
Chilton	Johnston, Ala.	Poinexter	Watson
Clapp	Jones	Pomerene	Williams
Clark, Wyo.	Kenyon	Rayner	Works
Crawford	Kern	Richardson	
Cummins	Lodge	Root	

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. A quorum of the Senate is present.

HOOR OF MEETING TO-MORROW.

Mr. GALLINGER. I move that when the Senate adjourns to-day it be to meet at 12 o'clock to-morrow.

The motion was agreed to.

SENATOR FROM ILLINOIS.

Mr. CRAWFORD. Mr. President, I desire to propound an inquiry to the Committee on Privileges and Elections.

If we are to read these reports extensively, and then enter into an extensive debate—as we probably shall in this case—over the testimony, which is quite voluminous, it is apparent that, admitting it to be a question of the highest privilege, claiming the attention of the Senate, it will occupy the attention of the Senate for a considerable period. There is another case, similar in character, where the testimony is still more voluminous than it is in this case and a mass of testimony has been taken that will tax the patience of the Senate. Yet, while the hearings have been closed, we have no report in that case.

My inquiry is as to when we may expect a report in the Lorimer investigation. Some of us may wish to begin the examination of that testimony, and it would be very helpful in that connection to have the conclusions of the committee.

Mr. DILLINGHAM. Mr. President, in answer to the inquiry of the Senator from South Dakota, I will say that the time has been granted to counsel of Mr. LORIMER for filing briefs first on a legal question that he raises as to the previous action of the Senate, which brief is to be filed by the 1st of March, and an additional brief upon the facts in the case, to be filed not later than the 15th of March. The committee have agreed to take up the matter after that, on the 23d, and proceed with the examination of the matter with reference to making a report.

I will say, further, that the counsel employed by the committee have been engaged in the very laborious task of trying to condense this vast mass of testimony. The number of printed pages already issued of that testimony runs up to nearly 9,000. They have eliminated from that much of the conversation and have tried to bring the testimony down into something like a narrative form, and that will be issued in one volume. It is substantially ready to go to the printer at the present time.

Mr. CRAWFORD. So we may have the condensation soon?

Mr. DILLINGHAM. It will be available for the use of the Senate very soon. The index has been, I think, prepared, but of course the pages could not be attached until the proofs came from the Printing Office. Considering the amount of testimony taken, the time that has been devoted to the work, and everything I think in the dates I have mentioned we have been very reasonable indeed. There is no disposition on the part of the committee to hold the matter back, I want to assure the Senator.

Mr. CRAWFORD. I thank the Senator very much for the information.

Mr. DILLINGHAM. Those of us who have the burden upon our shoulders will be just as anxious to make progress and have action taken by the Senate as anyone can be. I understand that the Senator's question was not by way of criticism, and it did not call out this remark.

Mr. CRAWFORD. Certainly not. Is it practicable to indicate about how long after the brief is filed that we may expect a report?

Mr. DILLINGHAM. It is going to take a good deal of work to analyze the testimony, to harmonize it, and cast out what does not seem to be material or trustworthy. We want to do it intelligently, and we want to make reports, whatever they may be, that, at all events, will entitle us to respect and to the respect of the Senate. I am unable to state what length of time will be required, but there is a disposition on the part of every member of the committee to be as diligent as possible in the matter.

Mr. CRAWFORD. I realize that the duties of the committee have been very burdensome and onerous. I also realize the fact that members of the Senate who desire to examine the testimony have no small task ahead of them, and if we expect to conclude the case within the ordinary life of a Member of the Senate we want to get the testimony and findings and report at the earliest practicable date.

Mr. DILLINGHAM. I think the best wish we can offer to the Senator is that he will live until he does.

Mr. CRAWFORD. I thank the Senator.

LANDS IN OREGON.

Mr. JONES. I ask leave to submit a report from a committee. I report back from the Committee on Public Lands the bill (S. 3225) providing when patents shall issue to the purchaser or heirs of certain lands in the State of Oregon, without amendment, and I submit a report (No. 398) thereon.

WITHDRAWAL OF PAPERS—THOMAS J. CARTWRIGHT.

Mr. KERN. I should like to ask unanimous consent to have an order made for the withdrawal of papers.

The VICE PRESIDENT. Without objection, the order will be received.

On motion of Mr. KERN, it was.

Ordered, That the papers in the case of Thomas J. Cartwright (S. 4827, 62d Cong., 2d sess.) be withdrawn from the files of the Senate, no adverse report having been made thereon.

INQUIRY CONCERNING APACHE INDIANS.

Mr. HEYBURN. I ask unanimous consent to submit a resolution, which I ask may be printed in the Record and lie on the table.

The VICE PRESIDENT. Without objection the resolution will be read.

Mr. WILLIAMS. One moment, Mr. President—

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (No. 228) as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the Senate with the following information:

First. How many Apache Indians are now held as prisoners of war at the Fort Sill (Okla.) Reservation?

Second. How many of the said Indians are males and how many are females?

Third. How many of said male Indians are under 40 years of age?

Fourth. How many of said Indians are known, at any time prior to their capture, to have been engaged in hostilities against the United States or to have committed acts of violence against citizens or residents of the United States?

Fifth. The names, ages, present condition of health, and general conduct of the Indians coming under the terms of the last paragraph.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. WILLIAMS. Mr. President, the matter that is being read to the Senate by request of the Senator from Idaho is so important that I feel I must object to other business being intruded at this time.

The VICE PRESIDENT. The resolution will go over.

Mr. HEYBURN. I had not asked for its consideration. I asked that it lie on the table.

Mr. WILLIAMS. I do not care what the Senator asked; I object.

The VICE PRESIDENT. It will lie on the table.

SENATOR FROM WISCONSIN.

The VICE PRESIDENT. The Secretary will continue the reading.

The Secretary resumed the reading of the views submitted by Mr. POMERENE and Mr. SUTHERLAND, and read as follows:

No account whatever was filed of the amount contributed by Mr. STEPHENSON to the State campaign committee nor of the amount expended during the session of the general assembly. The account which was filed of the expenses incurred in connection with the primary did not comply with the law in that it lumped the expenses; gave the names of but very few of the persons to whom money was paid; did not give the dates when expended, nor, as fully as contemplated by the statutes, the purposes for which expended. The account as filed was approved by the general counsel of Mr. STEPHENSON without any examination of the statute, and simply because it conformed with certain accounts which had been filed by prominent candidates for other offices. A careful examination of this account justifies the belief that it was purposely drawn so as to give to the public as little information as possible.

Mr. BORAH. I should like to ask a question in connection with that statement, if the committee will indulge me, so that we may get the benefit of the information as we go along. Was the committee able to determine how much of this money is unaccounted for by what are called the legitimate expenses of the campaign? In other words, how much of this money is unaccounted for in this report by legitimate expenses?

Mr. HEYBURN. Mr. President, that would involve entering at this time upon the question what constituted legitimate expenses. The orderly manner of procedure is to read the report, because it is upon a request of a Senator that it is being read. He has that right. Just as soon as the reading of the report is finished, so far as the senior Senator from Idaho can offer opportunity for such inquiries, he will do so, but to break in on the reading of the report will accomplish no good purpose.

Mr. BORAH. I realize that it would disturb the harmonious situation considerably, but it would add to the information a great deal.

Mr. HEYBURN. The Senator will not be lacking in information.

Mr. BORAH. If so, I fear I shall have to go outside of the report.

Mr. HEYBURN. We are not now ready to take it up.

The VICE PRESIDENT. The Secretary will continue the reading.

The Secretary resumed and concluded the reading, as follows:

The penalty for failing to comply with this statute is a fine only, and it does not provide for the forfeiture of the office. If it did, the statute to that extent would be unconstitutional, but Mr. STEPHENSON, because of his failure to file a proper account, has violated the statute and is subject to a fine. However, he must be absolved from any moral delinquency, because in the preparation and filing of his account he consulted with counsel and followed their advice, and if it was not properly done they were to blame rather than he.

In addition to this, the validity of the election which had already taken place could not be affected by the failure to thereafter perform some act enjoined by the State statute. The election was already an accomplished fact, and its validity must be determined by the facts theretofore or then existing. Anything done thereafter can not be regarded as a substantive ground for invalidating the election. Its only evidential value would be in reflecting light upon or as giving color to the preexisting facts.

After a careful consideration of all the evidence and the law, we had no hesitancy in joining in the report presented by the subcommittee.

We heartily approve these words of Senator HEYBURN:

"The amount of money spent by Mr. STEPHENSON, Mr. Cook, Mr. Hatton, and Mr. McGovern in the primary campaign was so extravagant, and the expenditures made by and on behalf of these gentlemen were made with such reckless disregard of propriety, as to justify the sharpest criticism. Such expenditures were in violation of the fundamental principles underlying our system of government, which contem-

plated the selection of candidates by the electors and not the selection of the electors by the candidate.

"Regardless of any statute requiring that strict accounts be kept of money expended by and on behalf of candidates, a candidate and every man representing him should know that public opinion would expect the parties to place and maintain themselves in a position so that if any of their acts were questioned they could justify such acts to the extent of giving every detail in regard thereto.

"While I do not believe that the law of Wisconsin could constitute any man a candidate or place him in the position of and under the responsibilities of a candidate for an office over which the State had no control and which was not to be filled under any law of the State, yet I feel impelled to criticize the acts of those in charge of the expenditure of money of men who are called candidates for the Senate, and especially of Mr. STEPHENSON, in the irresponsible and reckless manner in which they disbursed the money furnished them by Mr. STEPHENSON during the period of the primary campaign.

"The failure to keep detailed accounts, the destruction of memoranda, the shifting of records and papers concerning the campaign from one place to another, the adoption of mysterious methods and round-about ways in regard to matters that might just as well have been performed in open daylight in the presence of people, would go far toward creating the impression that there was some occasion for Mr. STEPHENSON's representatives to avoid candor and to obscure conditions."

While we have no doubt as to the correctness of the subcommittee's finding, we do not want it to be understood that we question the propriety of filing charges challenging the validity of the election or of the making demand for an investigation either by the General Assembly of Wisconsin or by the United States Senate.

An enormous sum of money had been expended. Messrs. Edmonds and Sacket, who were in charge of the campaign as Mr. STEPHENSON's managers, knew of the statute requiring the filing of an account of their expenditures. They destroyed all original records of accounts, though they kept what purported to be copies. They grouped these items and amounts in such a way that they gave no knowledge whatever to the public except the totals of each class of expenditures. The account was not filed until the last moment permitted by the statute.

Mr. Puelicher, a banker, acted as treasurer. He did not open an account as depositors usually do. He received remittances, kept private memoranda, paid out cash, and made disbursements of these funds, but kept no record thereof upon the bank's books. No other customer's funds, either before or since, were received or disbursed in a similar way. There was an air of mystery about the entire affair.

After the investigation by the committee of the general assembly was started Mr. STEPHENSON's local counsel had such records and correspondence as had not already been destroyed moved out of the State, for the purpose of keeping them beyond the jurisdiction of the general assembly.

It may be said in passing, however, that the accounts were kept on card indexes, and Mr. Sacket gives as a reason for destroying them that they were made with lead pencil in many cases, and the writing was practically obliterated, so that he made copies and then destroyed the originals (Record, p. 161), because they were cumbersome and inconvenient (p. 523). And it may be further said that there seems to have been no substantial reason for moving the correspondence out of the State. It was all before the committee, and an examination failed to disclose anything of an incriminatory or improper character which would render any concealment necessary.

Can there be any wonder that the public became suspicious and the members of the general assembly, out of a decent sense of self-respect, should demand a thorough investigation?

If Mr. STEPHENSON has been put to great expense and trouble, it is due, first, to the reckless expenditure of this large sum of money, and, second, to the studied and mysterious efforts of his managers and local attorneys to conceal the facts up to and during the investigation before the joint committee of the general assembly and the separate committee of the State senate.

But out of all this scandal and trouble much good has come. Public sentiment was aroused. The unlimited use of money has been condemned and stringent corrupt-practices acts have been adopted, both by the General Assembly of the State of Wisconsin and by the Congress of the United States.

ATLEE POMERENE,
GEO. SUTHERLAND.

Mr. HEYBURN. Mr. President—

The VICE PRESIDENT. The Senator from Idaho.

Mr. JONES. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Washington?

Mr. HEYBURN. Yes.

Mr. JONES. I understood the Senator from Massachusetts [Mr. LODGE] to ask that the views of the minority be read also in connection with the other matter which has been read.

Mr. HEYBURN. I have no objection.

The VICE PRESIDENT. The Senator from Washington is correct. The Chair understood it had been done. It has not. The Secretary will continue and read the minority views.

The Secretary proceeded to read the views of the minority, and read as follows:

[Senate Report 349, part 2, Sixty-second Congress, second session.]

CHARGES RELATIVE TO THE ELECTION OF ISAAC STEPHENSON.

Mr. JONES (for himself, Mr. CLAPP, Mr. KENYON, Mr. KERN, and Mr. LEA), from the Committee on Privileges and Elections, submitted the following views of the minority to accompany Senate resolution 136:

In the primary election at which Mr. STEPHENSON was nominated for Senator, pursuant to the Wisconsin law, the candidates expended the following sums:

Neal Brown	\$1,075.87
Francis E. McGovern	11,063.88
William H. Hatton	26,413.00
S. A. Cook	42,293.29
Senator STEPHENSON	107,793.05

In all, about \$225,000 on the part of candidates for the Senate alone. Referring to these expenditures, the majority report says:

"The amount of money expended by Mr. STEPHENSON, Mr. Cook, Mr. Hatton, and Mr. McGovern in the primary campaign was so extravagant and the expenditures made by and on behalf of these gentlemen were

made with such reckless disregard of propriety as to justify the sharpest criticism. Such expenditures were in violation of the fundamental principles underlying our system of government, which contemplated the selection of candidates by the electors and not the selection of electors by the candidate."

We concur in this statement, and it justifies us in opposing the conclusion of the majority.

Mr. HEYBURN. I want to call attention to an error that has crept into and remained in that statement. I used the word "electorate" instead of "electors" in my manuscript, but in printing it I suppose some printer thought that the words meant the same thing, and so he substituted the word "electors." I repeat I used the word "electorate," treating them as a body.

Mr. JONES. That is true, but it was carried in the report.

Mr. HEYBURN. The error is carried forward, but I think at this time the correction should be made.

The Secretary resumed the reading of the views of the minority, and read as follows:

How a seat in the Senate can be secured "in violation of the fundamental principles underlying our system of government," with the evidence showing the use of such a large sum of money, and not be tainted by corrupt methods and practices we are unable to comprehend. The question now squarely before the Senate is whether or not methods and practices "in violation of the fundamental principles underlying our system of government" shall be denounced by our words and approved by our votes.

The majority report also says:

"Were a candidate for a State office in Wisconsin to conduct a campaign in the manner in which the campaign of Mr. STEPHENSON and of other men who sought election to the United States Senate were conducted, it would be very difficult to justify such conduct under the laws of the State."

Mr. SUTHERLAND. Mr. President, I desire to call attention to the fact that the views of the minority in reciting that the language which they have quoted is from the majority report are in error. The language quoted is not from the majority report or from any report of the committee, but the language quoted is from the personal views of the Senator from Idaho [Mr. HEYBURN]. It seems to me that in presenting the minority views that ought to have been stated.

Mr. JONES. Mr. President, I desire to state that possibly the Senator from Utah is correct in a way, yet I think the minority were justified in making the statement they did. The views of the members of the subcommittee were submitted to the full committee, and upon those views the full committee submitted a report in which they embodied those views, although setting them out separately after the signing of the names of the members to what is termed the majority report. The majority report does not set out any specific reason upon which their conclusion is based, except that the views of the members of the subcommittee that were submitted in writing to the full committee are printed with it; and I think the minority are justified in the statement they make, although it may not be technically correct. There was nothing in the statement even of the Senator from Utah [Mr. SUTHERLAND] to indicate that he did not approve the statement that was made in the views submitted by the Senator from Idaho [Mr. HEYBURN]. I do not desire to do the Senator from Utah any injustice. If he does not indorse that sentiment, well and good; but there is nothing in the report to show that the majority of the committee did not indorse that sentiment, whatever might be the personal views of any individual member thereof.

Mr. SUTHERLAND. Mr. President, the statement to which I have referred in the minority report is not only technically inaccurate, but it is very clearly inaccurate. The report of the committee is found on the first, second, and third pages of the first volume. That report is signed by those members of the committee who agreed to it, beginning with the chairman of the committee [Mr. DILLINGHAM], and then Mr. GAMBLE, Mr. HEYBURN, Mr. SUTHERLAND, Mr. OLIVER, Mr. JOHNSTON, Mr. FLETCHER, Mr. POMERENE, and Mr. BRADLEY.

The Senator from Idaho [Mr. HEYBURN] filed his views, in which he stated his reasons for concurring in that report, and I can not understand upon what theory anybody can insist that the reasons given independently by a member concurring in the report can be considered as a part of the report itself. The Senator from Idaho, in beginning his statement of his minority views, says:

The subcommittee having reported to the whole committee in favor of ISAAC STEPHENSON, I desire to submit herewith the reasons which actuated me in arriving at that conclusion:

Clearly upon its face that is no part whatever of the report.

Mr. JONES. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SUTHERLAND. I will yield to the Senator.

Mr. JONES. I do not know whether it would be improper to go into the proceedings before the committee, but I think it is generally known that the views of the Senator from Idaho were printed long before the report was prepared or considered; in

fact, they were submitted as his views in support of the report of the subcommittee to the full committee, and the views of the other members of the subcommittee were submitted in writing to the full committee before it decided upon, must less prepared, its report. After those views were submitted in writing the full committee agreed upon its report, and those views were printed along with the report, and they were bound together. I think, therefore, we had a right to assume, where there was no express statement by the members of the majority of their disagreement with any important statement contained in any of those views, that they accepted them; but if the Senator from Utah says that that statement does not express his view I shall be glad to have the RECORD show it.

Mr. SUTHERLAND. The Senator from Utah has not said anything of the sort, and does not intend to say anything upon that subject. What the Senator from Utah complains about is that the minority views should state as a fact something that is not a fact.

Mr. JONES. I am willing to let the record rest on that. There have been so many technicalities in connection with this matter that I am not worried about this phase of it. If the Senator from Utah considers it more than a technical error, I am willing to admit, even that, if he so states, that these are not his views.

Mr. SUTHERLAND. The views of the Senator from Ohio [Mr. POMERENE] and myself are presented, and I think the Senator from Washington would not think that the Senator from Ohio and myself were presenting our views separately for the mere sake of the intellectual exercise involved in preparing them. The report is entirely a separate and distinct document.

Mr. JONES. The Senator from Utah and the Senator from Ohio, as I understood, submitted their views to the full committee in writing to give it the benefit of their conclusions upon the testimony. The report of the full committee was agreed to and made up after those views had been submitted. Those views were not prepared after the majority report was made and signed nor submitted, as minority or individual views are usually presented, but they were presented to the full committee for its information in reaching its conclusion and making up its report; and they were in fact the basis for that report and the only reasons submitted for the conclusion of the majority.

Mr. SUTHERLAND. Yes; but—

Mr. JONES. And upon those views the full committee made its report. They did not see fit to set out any particular reasons for their conclusion, but accepted these various statements from all the members of the subcommittee.

Mr. SUTHERLAND. But the members of the committee who signed the report, other than the Senator from Ohio and myself, could not be said to have assented by having signed the report, and the views of the Senator from Ohio and myself are no part of the report. They are merely our individual views.

Mr. JONES. There is certainly no reason for saying that members of the majority did dissent from any of the views submitted by the members who presented their views in writing.

The VICE PRESIDENT. The Secretary will resume the reading.

The Secretary resumed the reading of the views of the minority, and read as follows:

This statement we indorse. It warrants our opposition to the conclusion of the majority. If it would be difficult to justify a campaign like this by a candidate for a State office why is it not equally difficult to justify it on the part of Senator STEPHENSON? He was not compelled to go into the primary. He elected to do so, and he should be held to the same degree of accountability as any other candidate in that primary.

If he used methods—and the majority says he did—that it would be difficult to justify in behalf of a State candidate, then it is equally difficult for the Senate to justify such conduct on the part of a candidate for a seat in this body and preserve its integrity and honor. In our judgment it can not do it.

ADMITTED FACTS:

The following may be taken as admitted facts in this case: Three men were selected as managers by Senator STEPHENSON; money was placed in their hands from time to time as called for to the amount of over \$107,000; they were not asked how they expended it, nor for what purpose; no accounting was requested; they paid it out in various sums to different individuals in different wards, precincts, and counties; large sums were paid to different individuals holding official positions, and to individuals recognized to be leaders, and to others of prominence in different organizations; no directions were given to these men how the money should be expended; no reports were required and no knowledge obtained as to how they spent the money or for what purpose; men were hired for the ostensible purpose of going over the country talking STEPHENSON and creating STEPHENSON sentiment; men, whose occupations led them into different sections of the country, were paid large sums of money for talking for STEPHENSON on their travels; men were paid three, five, and ten dollars per day to be at the polls on election day, or to haul voters to the polls; large sums were paid leaders in different wards and precincts to look after their wards and precincts; hundreds of dollars were spent for treating to cigars, liquors, meals, etc., as much as \$135 in one day by one man; money was paid to candidates for the legislature, at least three of whom were nominated

and elected; detailed expenditures were not kept; memoranda were destroyed; records and papers concerning the campaign were shifted from one place to another; mysterious methods and roundabout ways were employed; original records were destroyed; items and amounts were grouped in such a way as to give no knowledge to the public except the amount of each class of expenditures; a banker acted as treasurer; no account was opened as is usually done by depositors; remittances were received, private memoranda kept, cash disbursements of funds made, but no record was kept on the bank's books, and when the committee of the general assembly started to investigate local counsel for Mr. STEPHENSON had such records and correspondence as had not already been destroyed moved out of the State for the purpose of keeping them beyond the jurisdiction of the general assembly.

All this is admitted, and we feel that we have a right to assume from these admitted facts and actions that corrupt methods and practices were used in connection with said primary election.

Mr. BORAH. Mr. President, I notice in following the reading that, after reciting the statement of facts found upon page 2, the minority say, "All this is admitted." Do I understand that there was any form of admission in the record, or did the committee agree upon that statement of facts, or is it simply an expression of the views of the minority?

Mr. JONES. Well, possibly it is a statement by the minority of what appears from the testimony throughout the record as to various things which were admitted by various witnesses who came before the committee, and several of those statements are taken from the views set out by the different majority members of the subcommittee that reported to the full committee.

Mr. BORAH. The reason I asked the question was because the statement of facts found upon page 2 is quite important, and if the statement is printed in such form as to show that the facts are admitted it might have considerable effect in making up the judgment of the Senate.

Mr. JONES. I think the minority have quoted extracts from the evidence which show that a great many of these things were admitted. I will say to the Senator that with reference to the destruction of the memoranda, the removal of papers, and so forth, the facts are set out in the views of the Senator from Ohio [Mr. POMERENE] and the Senator from Utah [Mr. SUTHERLAND], and being printed along with the majority report, even accepting the statement that those views are not part of that report, we take it for granted that those facts were taken from the record and will not be disputed.

Mr. BORAH. I understand, then, that the minority consider the facts stated there are beyond dispute.

Mr. JONES. Beyond dispute; yes.

The VICE PRESIDENT. The Secretary will resume the reading.

The Secretary resumed the reading of the views of the minority and read as follows:

All this is admitted, and we feel that we have a right to assume from these admitted facts and actions that corrupt methods and practices were used in connection with said primary election. To hold otherwise is to establish a precedent that would authorize an expenditure of hundreds of thousands of dollars to debauch the electorate in order to secure a seat in this body. To do this is to notify the world that we are careless as to whether or not seats in this body are to be bought and sold as so much merchandise to the man with the largest purse. To do so is to say to the man of millions eager for place, power, and honor, "Spend as much of your millions as you please to secure a seat here and no question will be made if you claim it was expended within the law." As was said by Senator Hoar and Senator Frye, in regard to the facts before them in the Payne case, "No more fatal blow can be struck at the Senate or at the purity and permanence of the republican Government itself than the establishment of this precedent."

The expenditure of such a sum of money at a primary election on behalf of one candidate in itself shocks the judgment and conscience of honest men generally, and disburied as disclosed by the record in this case is conclusive proof of corrupt methods and practices.

THE PRIMARY.

The power to inquire into the practices and methods employed in the primary election is questioned. The majority in this case find that we have this power, and with that conclusion we agree. In this we are fully sustained by principle and precedent, and by the terms of the resolution under which the committee acted, which authorized and directed the committee "to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and report to the Senate whether in the election of said ISAAC STEPHENSON as a Senator of the United States from the said State of Wisconsin there were used corrupt methods and practices." The charges preferred by the Legislature of Wisconsin affected not only the election by the legislature itself, but also the primary election.

It appears by the record that several candidates for the legislature announced during their candidacy that, if elected, they would vote for the candidate for Senator receiving the highest vote at the primary. If the primary choice was secured by corrupt methods and practices, would not the vote in the legislature secured thereby be corrupt, however innocent the member casting it? Several members of the legislature announced when they voted for STEPHENSON that they did so solely because he was the primary choice. If the primary was carried by corrupt methods and practices, these votes were corrupt, though honestly cast, and if the Senate can not inquire into such corrupt methods and practices, then the power given to us to judge of elections of our Members is a mere shadow. That we have this power is in accord not only with reason and justice, but is sustained by precedent.

The case of Mr. Caldwell, found at page 420, Senate Election Cases, is in point. In this case an arrangement was made by Mr. Caldwell with Thomas Carney under which Mr. Carney agreed not to be a candi-

date for United States Senator before the Legislature of Kansas and should give his influence and support for Mr. Caldwell. Mr. Caldwell was to pay him \$15,000. Mr. Carney was not a candidate before the legislature and did use his influence to secure the election of Mr. Caldwell. Was such an arrangement corrupt? The committee said:

"It was an attempt to buy the votes of the members of the legislature, not by bribing them directly, but through the manipulations of another. The purchase money was not to go to them, but to Mr. Carney, who was to sell and deliver them without their knowledge. That Mr. Caldwell did procure the votes of members of the legislature, friends of Mr. Carney, ignorant of the fact that Mr. Carney was making merchandise of his political character and influence and of their friendship for him, for which he was to receive a large sum of money, the evidence leaves no reasonable doubt."

"Buying off opposing candidates, and in that way securing the votes of all or the most of their friends, is in effect buying the office. It recognizes candidacy for office as a merchantable commodity—a thing having a money value—and is as destructive to the purity and freedom of elections as the direct bribery of members of the legislature."

When candidates for the legislature announce that they will vote for the choice of the primary for Senator, then to buy or corrupt the primary is to buy the member of the legislature; and if it was corrupt to buy off a candidate for the Senate and thereby secure the votes of his friends it is also corrupt to buy the primary and thereby secure the votes of those who announce that they will be controlled by the primary; and if the Senate can go outside of the proceedings of the legislature and investigate corruption in preventing men from being candidates for the Senate before the legislature, then it can certainly investigate methods and proceedings in the primary.

In the Payne case (Senate Election Cases, p. 711) three of the committee of seven say:

"We, in our conclusion, made no distinction between the use of fraud, corruption, or bribery in a caucus vote or in the legislative vote for a Senator. Although a caucus, or what proceeds in it, has no constitutional or legal relation to the election of a Senator, yet, by the habit of political parties, the stage of determination as to who is to be elected Senator, and the influences, proper or improper, that produce that determination, is that which precedes and is concluded in the caucus. So far as the question of personal delinquency or turpitude is concerned, no moral distinction should be made between corrupt proceedings in caucus and those in the legislature. How far any such distinction would need to be insisted upon in any case, on the question of unseating a Senator, where he himself was not affected with any personal misconduct or complicity with the misconduct of others, we have no occasion, in the immediate case or attitude of the subject, to consider or suggest."

Senators Hoar and Frye, in the same case, in their minority views at page 715, say:

"If B, C, and D have promised to vote as A shall vote, if A be corrupted, four votes are gained by the process, although B, C, and D be innocent. In looking, therefore, to see whether an election by the legislature was procured or effected by bribery, it may be very important to discover whether that bribery procured the nomination of a caucus whose action a majority of the legislature were bound in honor to support."

JOHN W. STONE.

John W. Stone was State game warden and had many deputies acting under him. Their position gave them an influence they would not have as individuals, and their duties required them to travel over the State. It was desirable to have their active support. Senator STEPHENSON personally directed that \$2,500 be turned over to Stone. This was done without any specific directions as to its use, and the money was distributed over the State where and in the manner that it was thought would do the most good. While this action may not be a direct violation of the letter of any State law, in our judgment it was a corrupt practice.

EXTRACTS FROM TESTIMONY.

We submit the following extracts from the testimony as illustrative of the methods and practices pursued in the distribution of this large sum of money for campaign purposes:

PRIMARY—STEPHENSON WOULD FIX NO LIMIT, BUT SAID GO ON AND CONDUCT THE CAMPAIGN, ETC.

Mr. EDMONDS. In my talk with Senator STEPHENSON I wanted to learn from him the amount of money he expected to expend. He seemed to think that too much money was being expended. I endeavored to have him fix an amount so that we would not exceed it. This he declined to do, and I endeavored to show him the difficulty of conducting a campaign without knowing how much I might be allowed to expend; but I was not able to get him to state, and he said to go on and conduct the campaign—"use your best ability in conducting it," and left it in that way.

SENATOR STEPHENSON.

Senator POMERENE. Did they advise you from time to time as to how they were expending this money?

Senator STEPHENSON. Not as a rule; no, sir.

Senator POMERENE. Did you ask for any report from them from time to time as to how they were expending this money?

Senator STEPHENSON. No, sir. I had confidence in Mr. Edmonds and Mr. Puelicher and my bankers, and I have yet.

Senator POMERENE. Referring to this letter of August 4, it was made known to you that to carry out Mr. Edmonds's plan he needed more money?

Senator STEPHENSON. Yes, sir.

Senator POMERENE. Did you at that time take up with him the matter as to the amount which you felt disposed to put into the campaign?

Senator STEPHENSON. I can not say as to that. We telephoned some. I think I was in the headquarters only twice, and not to exceed an hour altogether during the entire campaign. I was not in Milwaukee but about three times.

Senator POMERENE. In other words, we are to understand, then, that you left the entire management of this campaign to your campaign managers, and about all you did was to furnish the sinews of war?

Senator STEPHENSON. Yes.

\$2,500 PAID TO STONE, GAME WARDEN.

The CHAIRMAN. We will pass that. Now we come to another item, "Cash to J. W. Stone, \$2,500." Who was Mr. Stone?

Mr. EDMONDS. Mr. Stone was game warden of Wisconsin.

The CHAIRMAN. Did you know him personally before the payment of this \$2,500?

Mr. EDMONDS. Yes; I had met him.

The CHAIRMAN. Or at the time?

Mr. EDMONDS. I had met him.

The CHAIRMAN. You paid him the money, did you not, in cash?

Mr. EDMONDS. Through my instructions.
 The CHAIRMAN. Did you not pay it to him in cash yourself?
 Mr. EDMONDS. No.
 The CHAIRMAN. Who did?
 Mr. EDMONDS. Mr. Sacket says he did.
 The CHAIRMAN. Mr. Sacket paid it in cash. Where did he get the cash? Did you give it to him?
 Mr. EDMONDS. No; I did not have the cash.
 The CHAIRMAN. Mr. Sacket had no cash in the campaign, did he?
 Mr. EDMONDS. Mr. Sacket could get the cashier's check from the bank.
 The CHAIRMAN. He had to get it from you, or on your credit?
 Mr. EDMONDS. Sure; I told them to give it to him.
 The CHAIRMAN. Then you did tell him to get it?
 Mr. EDMONDS. Certainly.
 The CHAIRMAN. Let us see if we can get at a candid statement of the occasion of the payment of this \$2,500 to the State game warden. You know all about it, do you not?
 Mr. EDMONDS. About his getting the money.
 The CHAIRMAN. You know all the details of that game warden proposition, do you not?
 Mr. EDMONDS. Yes.
 The CHAIRMAN. The matter has been investigated in such a way as to fix it in your mind, has it not?
 Mr. EDMONDS. It was not necessary, because I remembered the details.
 The CHAIRMAN. Remembered it all?
 Mr. EDMONDS. No, sir; there were some things I did not remember, but some details I remember.
 The CHAIRMAN. I would hardly expect to receive a reply if you do not know in regard to Mr. Stone.
 Mr. EDMONDS. Yes, sir.
 The CHAIRMAN. For what purpose was \$2,500 paid to Mr. Stone?
 Mr. EDMONDS. For the purpose of getting his assistance in helping to nominate Senator STEPHENSON.
 The CHAIRMAN. What kind of assistance?
 Mr. EDMONDS. Such kind as he could give, in his best judgment.

STONE MONEY PAID UNDER AGREEMENT WITH STEPHENSON.

Senator SUTHERLAND. When was it you gave Mr. Stone the \$2,500—before or after this conversation?
 Mr. EDMONDS. After.
 Senator SUTHERLAND. After?
 Mr. EDMONDS. That is, I think the same day, as I recall.
 Senator SUTHERLAND. How did you fix the amount of \$2,500?
 Mr. EDMONDS. My recollection is that either Senator STEPHENSON informed me or else Mr. Stone informed me that that was the amount to be paid him.
 Senator SUTHERLAND. Which was it?
 Mr. EDMONDS. I can not recall now.
 Senator SUTHERLAND. Did you make the arrangement or did Mr. STEPHENSON make it?
 Mr. EDMONDS. My present recollection is that Mr. STEPHENSON made the agreement with Mr. Stone; Mr. Stone had seen him.
 Senator SUTHERLAND. For the \$2,500?
 Mr. EDMONDS. But as to just how far that went, I am not positive now. I do not want to do Mr. STEPHENSON an injustice by saying that he made it if Mr. Stone reported that that was the amount agreed upon when we talked.
 Senator SUTHERLAND. Then I understand you to say that you do not know why it was \$2,500 rather than some other sum?
 Mr. EDMONDS. Except that that was the amount that Mr. Stone thought was advisable to put in his hands; that he could use to advantage or because of the information received from Senator STEPHENSON; which I am not sure.
 Senator SUTHERLAND. Did you not exercise any judgment yourself as to what amount should be paid?
 Mr. EDMONDS. In that particular case; no, sir.

PRIMARY—MONEY TO MEMBERS OF THE LEGISLATURE—GAME WARDEN STONE—STEPHENSON TOLD.

The CHAIRMAN. What were the instructions, and what was the transaction?
 Mr. EDMONDS. I think Senator STEPHENSON telephoned me or sent word through Mr. Stone to give him \$2,500.
 The CHAIRMAN. To give you \$2,500?
 Mr. EDMONDS. To give him \$2,500.
 The CHAIRMAN. To give Stone \$2,500?
 Mr. EDMONDS. Yes, sir.
 The CHAIRMAN. For what did you give it to him?
 Mr. EDMONDS. I did not give it to him.
 The CHAIRMAN. You did not?
 Mr. EDMONDS. No.
 The CHAIRMAN. Where did Mr. Stone get the \$2,500?
 Mr. EDMONDS. I assume from the bank—a cashier's check.
 The CHAIRMAN. Did you give him an order?
 Mr. EDMONDS. That is my recollection, though I am not positive.
 The CHAIRMAN. That you gave him an order on the bank?
 Mr. EDMONDS. I think so. That may have been one of the \$5,000 items. I have not seen my check book for two years.

GAME WARDEN STONE GOT \$2,500 BY DIRECTION OF STEPHENSON; WAS TO USE AT OWN ELECTION.

The CHAIRMAN. Was it to be expended by you, or were you authorized to pay it out to others, to be expended by them?
 Mr. STONE. I was to use it at my own discretion.
 The CHAIRMAN. Were you at liberty, then, as you understood the transaction, to handle all that money yourself?
 Mr. STONE. Yes, sir.
 The CHAIRMAN. According to your discretion?
 Mr. STONE. Yes.
 The CHAIRMAN. No limitations were placed upon you, whatever, as to the manner of expenditure, were they?
 Mr. STONE. No; I think not.

MANAGER EDMONDS'S DESCRIPTION OF "ORGANIZATION" METHODS.

The CHAIRMAN. Now, what do you mean by "organize" when you use the term in connection with the payment of this money?
 Mr. EDMONDS. I mean that the man employed by me to look after Dane County and get out the vote—the largest possible vote—for Senator STEPHENSON was given latitude, usually guided by his judgment alone, as to what was to be done (p. 77).
 The CHAIRMAN. Particularize the word "organize" and tell me what constituted organization.
 Mr. EDMONDS. My idea in a county that was thoroughly organized would be in the first place to get out the advertising that we sent to the county—have it fully distributed and posted, and after that was done

he was to put in his full time going around the county, and he was paid for his services going around the county and interesting men of influence in the different localities to interest their friends so as to get out a full vote for Senator STEPHENSON election day. In some instances still further organizing, if in their judgment that was wise, by getting out the vote, by hiring teams, etc., for getting men to the polls (p. 78).

PURPOSE FOR WHICH MONEY WAS PAID.

The CHAIRMAN. The second charge is as follows:
 "That said ISAAC STEPHENSON did, prior to said primary, pay to said Edmonds, above mentioned, sums with the design that said Edmonds should pay to other electors of this State, out of said sums above mentioned and other sums of money received by said Edmonds from said ISAAC STEPHENSON, prior to said primary, sums ranging from \$5 per day to \$1,000, in bulk, as a consideration for some act to be done in relation to said primary by said electors for said ISAAC STEPHENSON as such candidate, in violation of said section."

Is that statement true?
 Mr. EDMONDS. No, sir.
 The CHAIRMAN. Wherein is it not true?
 Mr. EDMONDS. It is a pretty long statement. One of the things that appeals to me as not being true is that neither of those sums is in violation of the law.

The CHAIRMAN. Then we will waive that last statement, "in violation of said section." Did he give you those sums, or any of them, to pay to other electors of the State?

Mr. EDMONDS. To other electors of the State?
 The CHAIRMAN. Yes.
 Mr. EDMONDS. Yes; I should say that he understood that in his payment of the money.

The CHAIRMAN. Then the statement of facts, aside from the final clause, "in violation of said section," is substantially correct, is it?

Mr. EDMONDS. There are a good many items in there enumerated, but I should say it is substantially correct.

Senator SUTHERLAND. You have had charge of large expenditures of money, have you, in a business way?

Mr. EDMONDS. Quite large; yes, sir.
 Senator SUTHERLAND. You have employed many agents whose duty it was to expend money?

Mr. EDMONDS. In some instances; yes, sir. Usually, however, in the management of a business, the work is done from the office, and the management of such business as I conducted was done by me, in the expenditure of money.

Senator SUTHERLAND. Is it in accordance with your business training and experience and habits to hand over to your agent a large sum of money, \$500 or \$1,000, and have him expend it without keeping an account of what he expends it for, or without having him render an account to you of the expenditures?

Mr. EDMONDS. I do not think so.
 Senator SUTHERLAND. That is not in accordance with business methods, at any rate?

Mr. EDMONDS. No, sir.
 Senator SUTHERLAND. Was there any reason why you could not request these various political agents to keep an account of their expenditures?

Mr. EDMONDS. The only reason I could give is that I have never heard of it being done. Custom, I should say, governed that.

NO MEMORANDA AS TO MONEY PAID.

Mr. EDMONDS. I do not know.
 The CHAIRMAN. Who should know, under the system that obtained in the headquarters?

Mr. EDMONDS. Mr. Sacket should know.
 The CHAIRMAN. Did you make any memoranda when you gave instructions for the payment of money to these various people, or any of them, as to the services they were to perform in consideration of receiving this money?

Mr. EDMONDS. No, sir; no written statement; no, sir.
 The CHAIRMAN. You say you did not?

Mr. EDMONDS. No written statement; no, sir.
 The CHAIRMAN. Did you make any memoranda at any time in regard to the purposes for which the money you ordered paid was to be used?

Mr. EDMONDS. I do not recall any.
 The CHAIRMAN. Endeavor to recall it now, Mr. Edmonds.

Mr. EDMONDS. Yes, sir; I will.
 The CHAIRMAN. Can you recall any instance in which you made a memorandum as to the purpose for which the money was paid, either by you or under your instructions, during this campaign?

Mr. EDMONDS. I can not recall any instance; no, sir.
 The CHAIRMAN. You have no books of account in which such items will appear?

Mr. EDMONDS. Absolutely not.
 The CHAIRMAN. You made no record either in a book or otherwise as to the purpose for which you paid or directed that money to be paid during the campaign?

Mr. EDMONDS. To the very best of my recollection, none.
 The CHAIRMAN. Why did you not?

Mr. EDMONDS. I did not feel it was necessary.
 The CHAIRMAN. Were you acquainted with the provisions of the statutes of the State of Wisconsin with reference to the filing of an expense account by those who were candidates for nomination or election?

Mr. EDMONDS. Yes; I think so; reasonably well.
 The CHAIRMAN. Are we to understand that with that knowledge you did not make any attempt to lay the foundation for compliance with that law in the expenditure or payment of the large sums of money that you disbursed during the campaign?

Mr. EDMONDS. I did not, because it was done by another person in the office.

The CHAIRMAN. Who?

Mr. EDMONDS. Mr. Sacket.
 The CHAIRMAN. Suppose it transpired that it was not done by Mr. Sacket, then did Mr. Sacket disobey any instructions which you had given?

Mr. EDMONDS. No, sir; Mr. Sacket had his instructions from others before I came and took charge.

The CHAIRMAN. You were the manager of the campaign, were you not? That was the term used as to yourself?

Mr. EDMONDS. That is the term that has been given me; yes, sir.

The CHAIRMAN. It was the designation at that time, was it not?

Mr. EDMONDS. I think so.

The CHAIRMAN. How did you regard yourself in that respect?

Mr. EDMONDS. I think I regarded myself as manager of the campaign.

The CHAIRMAN. And so regarding yourself, you made no attempt to lay the foundation for making a statement that would comply with the law in the event it became necessary to file an expense account?

Mr. EDMONDS. No, sir. Owing to the conditions that existed when I went there, I felt that that was being done and so continued during my service.

\$100 SENT TO A NEWSPAPER MAN AT WAUSAU.

The CHAIRMAN. I will so mark it. The next item is \$100 to J. L. Sturtevant. That is said to be for "advertising." What advertising was that?

Mr. EDMONDS. He is running a daily and weekly newspaper, I believe, at Wausau.

The CHAIRMAN. Who made that contract?

Mr. EDMONDS. I believe I sent him the money.

The CHAIRMAN. Have you a bill and receipt for it?

Mr. EDMONDS. No, sir.

The CHAIRMAN. Any acknowledgment of it?

Mr. EDMONDS. No, sir.

The CHAIRMAN. What advertising was that for?

Mr. EDMONDS. I do not know why the word "advertising" is in there except that that is Mr. Sacket's method of designating certain of these matters to keep them in a certain account.

The CHAIRMAN. But you know about the payment of the money?

Mr. EDMONDS. Yes; I paid the money.

The CHAIRMAN. You inquired what it was for when you authorized it, did you not?

Mr. EDMONDS. No. I had known Mr. Sturtevant for some little time, and, believing that he could be of assistance to us in Wausau—I knew that he was a friend of Senator STEPHENSON—I sent him a hundred dollars to use as he saw fit in promoting the interests of the Senator.

The CHAIRMAN. That was what might be termed a general contribution to the newspaper, was it; for its friendship?

Mr. EDMONDS. Perhaps it might be called that.

The CHAIRMAN. There was no specific advertisement—no space charged for—was there?

Mr. EDMONDS. In this particular instance, I do not know.

The CHAIRMAN. No bill was rendered for specific services as "advertising"?

Mr. EDMONDS. I do not recall, in this instance. I sent him the money, asking him to use it in the interest of Senator STEPHENSON.

The CHAIRMAN. You sent him the money for the purpose of retaining a friendly attitude toward Senator STEPHENSON, did you not?

Mr. EDMONDS. I did not need to do that, because he was very friendly; his paper was for him, and had been all the time.

The CHAIRMAN. Then, it was a gratuity. You already had the services, and in acknowledgement of friendship you sent him a hundred dollars; does that express it?

Mr. EDMONDS. No; I hardly think that expresses it.

The CHAIRMAN. Then what was the hundred dollars for?

Mr. EDMONDS. I thought that with the hundred dollars he would be more active in his support of Senator STEPHENSON.

The CHAIRMAN. Then it was for additional friendship to that already existing, was it?

Mr. EDMONDS. Perhaps that statement would be true.

The CHAIRMAN. It was to cement the existing friendship?

Mr. EDMONDS. Most assuredly; it was to help Senator STEPHENSON.

The CHAIRMAN. Was it in order that he might not probably be influenced to change his attitude of friendship?

Mr. EDMONDS. No; that was not at all necessary with him.

The CHAIRMAN. Very well. You sent just that class of contributions to a number of papers, I suppose, did you not?

Mr. EDMONDS. I think there were a number of instances; yes, sir.

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3812) to regulate public utilities in the District of Columbia and to confer upon the Commissioners of the District of Columbia the duties and powers of a public utilities commission.

Mr. BURTON. I ask unanimous consent that the unfinished business be laid aside temporarily.

The VICE PRESIDENT. The Senator from Ohio asks unanimous consent to lay aside the unfinished business. Without objection, the request is complied with. The Secretary will continue the reading of the views of the minority.

The Secretary resumed the reading, and read as follows:

WISE MANAGERS DID NOT KNOW, AND DID NOT ATTEMPT TO FIND OUT, WHETHER THIS MONEY WAS SPENT HONESTLY OR NOT.

The CHAIRMAN. And that you have made no effort to ascertain whether or not the expenditures of this money were wrongful?

Mr. EDMONDS. No, sir.

The CHAIRMAN. In any case?

Mr. EDMONDS. I have not.

THE EXTENT AND MANNER OF DISTRIBUTION.

The CHAIRMAN. You had 70 men, I understand, in your organization industriously engaged in distributing money among the common people throughout the campaign?

Mr. EDMONDS. I should say there were probably that many.

MANAGER SACKET'S DESCRIPTION OF "ORGANIZATION METHODS" (P. 175).

The CHAIRMAN. I notice that all of these items for organizing—and the greater part of them are for organizing—are after the time when you had filed the petitions with the signatures on them.

Mr. SACKET. My idea of organizing, as I used it in this statement, might include circulating of petitions, or any other work to perfect that organization which we hoped to use for the election of Senator STEPHENSON.

The CHAIRMAN. Would it include the distribution and payment of money to men who were to work at the polls?

Mr. SACKET. Yes, sir.

The CHAIRMAN. Would it include the payment of money to men who were to induce other men to vote for Senator STEPHENSON, without any limitation being placed upon the manner of inducement?

Mr. SACKET. It would include money expended that way; yes, sir.

The CHAIRMAN. It might include money expended in purchasing votes, might it?

Mr. SACKET. It might.

The CHAIRMAN. Did it?

Mr. SACKET. Not to my knowledge.

The CHAIRMAN. Can you say it did not?

Mr. SACKET. No, sir; not to my knowledge.

METHOD BY WHICH SACKET SPENT MONEY.

(167) Mr. SACKET. I do not know.

The CHAIRMAN. What services did he perform?

Mr. SACKET. I do not know.

Mr. LITTLEFIELD. Was he one of the men you made an arrangement with?

Mr. SACKET. He was not.

The CHAIRMAN. Did you pay that on the order of Mr. Edmonds?

Mr. SACKET. I did.

The CHAIRMAN. Did you pay money on the order of any person other than Mr. Edmonds?

Mr. SACKET. Not to my recollection.

The CHAIRMAN. When Mr. Edmonds gave you an order, such as is indicated by that payment, did he give it to you in writing?

Mr. SACKET. Not necessarily.

The CHAIRMAN. How did he give it to you?

Mr. SACKET. He told me that he wanted a check for \$300 for Mr. R. E. Orton.

The CHAIRMAN. Was it a verbal communication?

Mr. SACKET. Yes, sir.

The CHAIRMAN. Then you would get the check?

Mr. SACKET. Yes, sir.

The CHAIRMAN. And would you make a memorandum?

Mr. SACKET. I would.

The CHAIRMAN. Did you inquire of Edmonds what the money was to be used for?

Mr. SACKET. Not in all cases.

The CHAIRMAN. Did you in this case?

Mr. SACKET. I do not remember.

The CHAIRMAN. You have no recollection about it?

Mr. SACKET. No, sir.

The CHAIRMAN. You do not know whether it was to be used for purchasing votes or for what purposes?

Mr. SACKET. I had no knowledge of my own whatever.

The CHAIRMAN. Did you not feel it incumbent upon you to know for what the money that you paid out was to be used?

Mr. SACKET. The money that I paid out on Mr. Edmonds's order; no.

The CHAIRMAN. You think you would be relieved of responsibility if the money was to be paid out for an unlawful purpose merely because Mr. Edmonds told you to pay it?

Mr. SACKET. Yes, sir.

The CHAIRMAN. You think you would be relieved?

Mr. SACKET. Yes, sir.

The CHAIRMAN. You would not undertake to assert that if an associate were to ask you to violate the law you would be justified in doing it?

Mr. SACKET. No, sir.

The CHAIRMAN. Then how do you account for your answer that if you believed if Mr. Edmonds told you to pay this money out for an unlawful purpose that Mr. Edmonds and not you would be responsible?

Mr. SACKET. I felt that when Mr. Edmonds asked for money I was under obligations to give it to him. I was Mr. STEPHENSON's manager.

DESTRUCTION OF MEMORANDA.

Manager Sacket, in testifying as to the payment of an item of \$400, stated that he was unable to remember anything about it. He then testified as follows (p. 164):

The CHAIRMAN. That emphasizes the misfortune of the destruction of your memoranda, does it not? Now, you say, in the absence of that memorandum, you can not remember anything about the \$400. It may have been used to purchase votes in violation of law, may it not?

Mr. SACKET. I have no knowledge one way or the other.

The CHAIRMAN. So that a payment of this money passing through your hands as the representative of the candidate may have been used, so far as you can state, for an illegal purpose?

Mr. SACKET. I do not know.

PERRIN'S EXPENDITURES.

The CHAIRMAN. Who is C. R. Fridley?

Mr. PERRIN. He is an attorney at Superior.

The CHAIRMAN. Is he an old resident?

Mr. PERRIN. Yes.

The CHAIRMAN. Is he an old man or a young man?

Mr. PERRIN. He is a man of 42 or 43 years of age.

The CHAIRMAN. Did he support Senator STEPHENSON for nomination at the primaries and before the primaries?

Mr. PERRIN. Yes.

The CHAIRMAN. Was he in public life in any capacity?

Mr. PERRIN. No.

The CHAIRMAN. He was what you call a political worker, was he?

Mr. PERRIN. No. He was a practicing lawyer.

The CHAIRMAN. He was actively engaged in the practice of law?

Mr. PERRIN. Yes, sir.

The CHAIRMAN. You never asked him for any accounting as to the expense he had incurred?

Mr. PERRIN. I did not.

The CHAIRMAN. What is Mr. Fridley's business, you say?

Mr. PERRIN. He is an attorney.

The CHAIRMAN. The next item is \$10 to H. L. Dresser. Who is H. L. Dresser?

Mr. PERRIN. Mr. Dresser had nothing to do with the campaign and does not live in the State. I was in Duluth and somebody made application to me for money, and I had to go to him and borrow it, and gave him my check to reimburse him. It was money expended in the campaign.

The CHAIRMAN. He lived in Duluth?

Mr. PERRIN. He lived in Duluth when this application was made to me.

The CHAIRMAN. You drew this money for your own expenditure, or to be paid out by you?

Mr. PERRIN. I drew that money to be paid to some one in the Stephenson campaign.

The CHAIRMAN. Can you say to whom you paid it?

Mr. PERRIN. I can not.

The CHAIRMAN. We go to the next item of \$50 cash.

Mr. BRISTOW. Mr. President, there are only a few of us here. It seems to me that we could be making better progress in our rooms studying this case rather than continuing here.

Mr. HEYBURN. May I make a statement?

Mr. BRISTOW. Yes.

Mr. HEYBURN. It had been my intention at the concluding of the reading of the views of the minority to move an executive session.

Mr. BRISTOW. That will be some time.

Mr. HEYBURN. There are only a few pages left.

Mr. BRISTOW. That might take an hour.

Mr. HEYBURN. I will inquire how many pages there are.

Mr. BRISTOW. Why can not the reading be finished to-morrow?

Mr. HEYBURN. I think there are only six pages now left.

Mr. BRISTOW. Let us have an executive session now and finish to-morrow. There will be plenty of time to-morrow.

Mr. HEYBURN. I should like to have the reading finished. I ask the clerks how many pages remain to be read.

The VICE PRESIDENT. The Secretary advises the Chair that there are seven pages yet to be read.

Mr. HEYBURN. That will take only a few minutes.

Mr. BRISTOW. It will take until about 5 o'clock.

Mr. HEYBURN. It ought not.

Mr. BRISTOW. There are only a few here and those of us who feel some obligation to stay in the Senate when it is in session ought not to be imposed upon by being compelled to remain here when we could be at home at work. It would really expedite this business. I want to study this case in full, and I can do it more efficiently at my room than here in the confusion of the Senate.

Mr. HEYBURN. I will make the statement, in order that Senators may be advised, that, so far as I may, within the rules of the Senate, it is my intention to ask the continuous consideration of this measure until we reach a vote upon it.

Mr. WILLIAMS. I should like to ask the Senator a question. Has the reading of the minority report been finished?

Mr. HEYBURN. There are seven pages remaining, and I have suggested that at the end of the reading of the report I would move an executive session. It seems to me that we ought to be patient and have the seven pages read and then orderly proceed to an executive session.

Mr. BRISTOW. While the matter is under consideration, as the Senator from Idaho states that he desires to press this question, I should like to know about how vigorously he expects to press it. Some 2,000 pages of testimony have been presented to the Senate within the last week, and some of us desire to examine it and to make some remarks upon the report of the committee. It is going to take time. It has been the custom of the Senate to give a reasonable time for the preparation of remarks upon a case of this kind. I should like to know about how much time the Senator expects to yield to those of us who want to prepare and thoroughly look into the case.

Mr. HEYBURN. I expect that the Senate will either discuss or vote.

The VICE PRESIDENT. The Secretary will continue the reading of the views of the minority.

Mr. BRISTOW. I desire to say to the Senator here that he can obstruct the business of the Senate by compelling Senators to greatly inconvenience themselves, by prolonging the discussion and taking days in offering remarks that they might, with time, be able to present in an hour or two.

Mr. HEYBURN. I have no doubt they will be interesting remarks, and illuminating.

Mr. BRISTOW. The Senator can use this case to obstruct other business if he desires.

Mr. HEYBURN. Mr. President, there is no business before the Senate, or that can come before it, that is as important as this, and that has been established since the foundation of Congress. It is a question of the highest privilege, and that means that there is nothing which can be more important.

Mr. BRISTOW. The Senator from Idaho may think that he can drive this through as the slave driver would drive the men under his control, but I think he will find before he gets through that he is somewhat mistaken. There may be some reason why he does not want this case properly considered in this body and the details of it exposed to the view of the American people in this way. In my judgment, it will be presented.

Mr. HEYBURN. I hope so.

Mr. BRISTOW. And the Senate will have an opportunity to pass judgment as to whether the majority or the minority are correct in their report in this case.

The VICE PRESIDENT. The Secretary will continue the reading.

Mr. CULBERSON. Mr. President, I should like to inquire if any request has been made to dispense with the further reading of the views of the minority.

The VICE PRESIDENT. No such request has been made.

Mr. CULBERSON. I make it.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent to dispense with the further reading of the views of the minority. Is there objection?

Mr. WILLIAMS. Mr. President, I think that the reading had better be continued until the report is finished, so that the Senate may have it before them at one time. I shall object to the request.

The VICE PRESIDENT. Objection is made.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	Kenyon	Richardson
Borah	Curtis	Kern	Root
Bourne	du Pont	Martin, Va.	Shively
Brandeggee	Fletcher	Martine, N. J.	Smith, Ga.
Bristow	Foster	Myers	Smith, Md.
Brown	Gallinger	Nelson	Stephenson
Bryan	Gamble	Newlands	Sutherland
Burton	Gardner	Nixon	Swanson
Chamberlain	Gronna	Overman	Thornton
Chilton	Heyburn	Page	Townsend
Clapp	Hitchcock	Perkins	Watson
Clark, Wyo.	Johnson, Me.	Pomerene	Wetmore
Culberson	Jones	Rayner	Williams

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. WILLIAMS. Mr. President, a moment ago the Senator from Texas [Mr. CULBERSON] made a request which I misunderstood. I thought it was a request to suspend the reading of the report and go on with it hereafter. It seems that it was a request to dispense with it and to publish it. I would not have made any objection to that, and therefore I now make the request that he made and to which I objected.

The VICE PRESIDENT. The Senator from Mississippi asks unanimous consent to dispense with the reading of the remaining part of the views of the minority, and that it be printed in the RECORD. Is there objection? The Chair hears none.

The remainder of the views of the minority is as follows:

The CHAIRMAN. We go to the next item of \$50 cash. Can you account for any part of it?

Mr. PERRIN. I have no recollection of it.

The CHAIRMAN. The last item I inquired about, of \$10 to Dresser, was on the 18th of August.

Mr. PERRIN. Yes, sir.

The CHAIRMAN. And another item the same day, the 18th, is \$50 cash. You say you can not account for that?

Mr. PERRIN. No.

The CHAIRMAN. At that time you had received the \$3,000. You received it on the 15th. So you had all of this \$5,000 then available?

Mr. PERRIN. Yes, sir.

The CHAIRMAN. And on the 19th you drew a check to W. W. Savage for \$25, and he indorsed it. What was that for?

Mr. PERRIN. I am not sure about that. I sent him out two or three times, I do not remember when, to get information to enable us to carry on this work.

The CHAIRMAN. He was your clerk?

Mr. PERRIN. Yes.

The CHAIRMAN. On the 21st you paid out \$200 cash. Can you account for any part of that?

Mr. PERRIN. I have no recollection of it.

The CHAIRMAN. On the same day you paid out \$100 cash. Can you account for any part of that?

Mr. PERRIN. I have no distinct recollection.

The CHAIRMAN. Again on the same day, \$40 cash. Can you account for that or any part of it?

Mr. PERRIN. I do not recollect that.

The CHAIRMAN. Was it money expended in the city of Superior?

Mr. PERRIN. This money was expended in four counties—Douglas, Bayfield, Sawyer, and Washburn.

The CHAIRMAN. Are they the northern counties in the State?

Mr. PERRIN. Yes.

The CHAIRMAN. The most northern?

Mr. PERRIN. Yes.

The CHAIRMAN. Tell us the conversation—what he said to you and what you said to him that resulted in the handing over of that check.

Mr. PERRIN. I can not remember the details.

The CHAIRMAN. Give us the substance.

Mr. PERRIN. The substance of it was that I went to him and asked him if he would put in some time in the STEPHENSON campaign. He said he would do what he could. I asked him how much money he thought he would need at that time, and he said that he ought to have \$250.

The CHAIRMAN. Did you tell him that you were disbursing STEPHENSON money at that time? You told him you had received this thousand dollars, did you?

Mr. PERRIN. Yes.

The CHAIRMAN. And he told you he could be of some use to Senator STEPHENSON, did he?

Mr. PERRIN. Yes.

The CHAIRMAN. How did he tell you he could be of use to Senator STEPHENSON?

Mr. PERRIN. I guess I knew as much about that as he did. I do not know that he expressed himself in specific terms as to what he could do or would do.

The CHAIRMAN. What did he do for Senator STEPHENSON's campaign?

Mr. PERRIN. I do not know.

The CHAIRMAN. You say you knew what he could do?

Mr. PERRIN. I knew what he could do; certainly.

The CHAIRMAN. Was that to be taken as a criterion of what he did do?

Mr. PERRIN. It was by me.
 The CHAIRMAN. What did he do?
 Mr. PERRIN. Taking that as a criterion, he could, and I believe he did, get men interested for Senator STEPHENSON that neither Senator STEPHENSON, Mr. Edmonds, nor I could otherwise get.
 The CHAIRMAN. Get men that you could not get?
 Mr. PERRIN. Yes.
 The CHAIRMAN. How would he get them interested? What would he do?
 Mr. PERRIN. I think he would mostly talk.
 The CHAIRMAN. What would he say to them?
 Mr. PERRIN. I am sure I do not know.
 The CHAIRMAN. What would be the nature of the conversation?
 Mr. PERRIN. I would not undertake to say.
 The CHAIRMAN. How do you know it is not just exactly the conversation you or Mr. Edmonds would have had with these people?
 Mr. PERRIN. Because I know that I could not talk to some of those people the way Mr. Shields could.
 The CHAIRMAN. If you do not know what he said to them, how do you know that?
 Mr. PERRIN. There are things, you know, that we know without being able to explain or express after long years of acquaintance with a man that no man living can sit on the witness stand and detail.
 The CHAIRMAN. Do you think you are worth the \$3,000 that Mr. STEPHENSON gave you?
 Mr. PERRIN. Oh, I know I am worth that.
 The CHAIRMAN. It takes a pretty good political talker to get that amount of money.
 Mr. PERRIN. I did not have to talk any to get it.
 The CHAIRMAN. How much of this money indicated by the cash items or the checks remained in your hands?
 Mr. PERRIN. Not a cent.
 The CHAIRMAN. And yet you can not account for a cent of it that you paid out?
 Mr. PERRIN. I can not in detail; no, sir.
 The CHAIRMAN. Not a single item?
 Mr. PERRIN. Not one.
 The CHAIRMAN. That was rather a spectacular campaign in some respects, was it not, with money flowing out freely in those amounts?
 Mr. PERRIN. To speak in the vernacular, I guess we got them "going some."
 Senator SUTHERLAND. In handing over sums of money to people that you employed in Senator STEPHENSON's interest, did you give any of them any instruction whatever as to what they should do?
 Mr. PERRIN. If I thought it was necessary when I gave the man money to tell him what to do, I have no doubt I did.
 Senator SUTHERLAND. Did you?
 Mr. PERRIN. I do not remember.
 Senator SUTHERLAND. You do not recall having given anybody any instructions?
 Mr. PERRIN. No; I do not recall it. I know there were some instances where I said to some man, or some men, that we would look to him or them to provide workers at the polls, for instance, or teams to get voters out. But that was all in the most general way.
 Senator SUTHERLAND. You gave them no specific instructions that you recall as to what they should do?
 Mr. PERRIN. I do not recall now; no. I do not recall now that I did.
 The CHAIRMAN. On August 5, \$200 cash. For what was that cash expended, and by whom?
 Mr. PERRIN. I have no recollection.
 The CHAIRMAN. August 6, \$25 cash. What do you say as to that?
 Mr. PERRIN. I have no recollection.
 The CHAIRMAN. August 6, \$200. What have you to say as to that item?
 Mr. PERRIN. I do not remember it.
 The CHAIRMAN. When you say you do not remember, you mean—
 Mr. PERRIN. I have no recollection.
 The CHAIRMAN. That you have no information to give in regard to it, based upon your recollection?
 Mr. PERRIN. None whatever.
 The CHAIRMAN. On August 7, \$100 cash. Have you any recollection as to the purpose for which that was expended?
 Mr. PERRIN. No, sir.
 The CHAIRMAN. And on August 7, again, \$75; and on August 7, again, \$50; that is \$225 on August 7. Have you any knowledge as to what that was used for?
 Mr. PERRIN. Those items are all "cash"?
 The CHAIRMAN. Yes; they are all cash.
 Mr. PERRIN. No; I have no recollection.
 The CHAIRMAN. On the 8th we have cash items of \$50, \$50, \$50, \$50, and \$50—\$250; do you know the purpose for which that money, or any part of it, was expended?
 Mr. PERRIN. Those are cash?
 The CHAIRMAN. Yes; cash items.
 Mr. PERRIN. No; I have no recollection.
 Senator POMERENE. You have said in answer to Senator SUTHERLAND—I want to quote you correctly, and if I do not you will correct me—that you probably paid money to 100 different persons, though you were not definite as to your statement.
 Mr. PERRIN. No; I can not be.
 Senator POMERENE. I understand that. You also said to him again in your examination that you knew personally very many of the men that you employed.
 Mr. PERRIN. Yes.
 Senator POMERENE. Do you mean to tell the committee that you do not now remember any of the men to whom you paid this money, outside of the few names that you gave to Senator HEYBURN?
 Mr. PERRIN. That is just exactly what I mean to say.
 Senator POMERENE. Not one of them?
 Mr. PERRIN. Not one of them.

MR. PERRIN'S METHODS OF DISTRIBUTING \$5,000.

(U39) Mr. PERRIN. I planned that we would take the first \$1,000 and get hold of as many of the men who were accustomed to doing political work in that territory as we could get hold of with that money, laying the foundation for further and more extensive electioneering if the money was forthcoming. * * * At that time, I think, I knew I would get another \$1,000.
 "The CHAIRMAN. With this class of expenditure the motive does cut some figure. You were representing a candidate for office, under the laws of a State, and you were not spending your money, but his. Did it not occur to you that he would be responsible for the manner of your expenditure, and that incidentally to that you would have some responsibility?"
 Mr. PERRIN. No.

The CHAIRMAN. It did not?
 Mr. PERRIN. No.
 "The CHAIRMAN. You did not feel that you were under any responsibility to any person or any law for the manner of the expenditure of this money?"
 Mr. PERRIN. I do not think I said that.
 The CHAIRMAN. I asked you. It is a question I am asking you.
 Mr. PERRIN. Just read the question, please.
 The reporter read as follows:
 "The CHAIRMAN. You did not feel that you were under any responsibility to any person or any law for the manner of the expenditure of this money?"
 Mr. PERRIN. I felt that I was responsible to Senator STEPHENSON for the expenditure of the money that he put in my hands.
 The CHAIRMAN. Do you mean the manner of the expenditure?
 Mr. PERRIN. No; I do not think so, entirely. I think I was selected to exercise an independent judgment upon the manner in which his candidacy should be furthered in that particular.
 The CHAIRMAN. And leave the responsibility upon Senator STEPHENSON?
 Mr. PERRIN. May I inquire—responsibility for what?
 The CHAIRMAN. The manner in which you expended it; were you going to let him take chances on that?
 Mr. PERRIN. I do not think the Senator was taking any chances on that.
 The CHAIRMAN. To return to Mr. Shields: You have not been able to account for any item of expenditure by Mr. Shields; so that we shall have to rely upon Mr. Shields, shall we, for that information?
 Mr. PERRIN. I presume he can give you some idea as to what he did with that money. I should like to say, if I may, that of these cash items I think Mr. Fridley had more than appears to have been given him upon checks drawn to his order.
 Mr. PERRIN. This statute has never received in practical operation, by anybody that I know of in the State of Wisconsin, the construction which has been suggested here. It is the common, ordinary thing throughout northern Wisconsin to take a man to the theater or take him to lunch, not necessarily to corrupt his mind, but to enlighten him. You do these things to get a man's mind in a receptive mood. You can not go after him, Senator, you know, with an ax and beat an idea into him. It has got to be worked out along practical lines. It seems foolish for me to sit here and talk to you gentlemen about this thing, because you know so much more about it than I do.
 The CHAIRMAN. Our examination here is not so much for our entertainment as to make a record.
 Mr. PERRIN. I beg your pardon. I apologize.
 The CHAIRMAN. You need make no apology. This is to be taken as a test of your meaning of "electioneering," then, is it?
 Mr. PERRIN. I think that is a fair test of the meaning of ninety-nine men out of a hundred who conduct politics.
 The CHAIRMAN. Of "electioneering"?
 Mr. PERRIN. "Electioneering."
 The CHAIRMAN. You think that comes within the definition of "electioneering"?
 Mr. PERRIN. I certainly do.
 The CHAIRMAN. And when you speak of having expended money in electioneering, either by you or by those whom you employed, you include that kind of proceeding under the head "electioneering"?
 Mr. PERRIN. It may be included.
 Senator SUTHERLAND. You think it is as legitimate to reach a man through his appetite as it is through his intellect.
 KNOWINGLY PAID MONEY TO SHAUERS.
 The CHAIRMAN. You said, or I understood you to say, that there was only one case in which you knowingly paid money to a man who was a candidate for the legislature; what case was that?
 Mr. EDMONDS. Mr. Shauers, of Oconto County.
 Mr. LITTLEFIELD. Was he elected?
 Mr. EDMONDS. No, sir.
 Mr. LITTLEFIELD. What was his name?
 Mr. EDMONDS. Mr. Shauers.
 The CHAIRMAN. For what purpose did you pay him money?
 Mr. EDMONDS. He was a railroad man, and for the purpose of organizing he went in different parts of the State to see railroad men.
 The CHAIRMAN. Was he in employment then or out of employment?
 Mr. EDMONDS. Out of employment.
 The CHAIRMAN. Then he went from his home to different parts of the State, outside of the legislative district where he was a candidate?
 Mr. EDMONDS. Yes. It was distinctly understood that he was to spend no time, no money, in that district.
 The CHAIRMAN. Well, but did he?
 Mr. EDMONDS. He did not, to my knowledge.
 Mr. LITTLEFIELD. That is, in his own district?
 Mr. EDMONDS. In his own district.
 Mr. LITTLEFIELD. So that nothing that was expended by him had any relation to the campaign pending in his district?
 Mr. EDMONDS. Absolutely not.
 Mr. LITTLEFIELD. Either directly or indirectly?
 The CHAIRMAN. How much did you pay Shauers?
 Mr. EDMONDS. I don't recall. I should think it might range from \$50 to \$100 or \$125. I don't think more than that. I paid him, I think, two or three different times \$25.
 THOMAS REYNOLDS.
 The CHAIRMAN. Did you receive any more than \$180 from Senator STEPHENSON or from anyone in his behalf?
 Mr. REYNOLDS. I received \$100 from Senator STEPHENSON's manager.
 The CHAIRMAN. Is that the \$100 that you have referred to? Did you receive \$280 altogether from Senator STEPHENSON or his manager?
 Mr. REYNOLDS. I did not consider it from Senator STEPHENSON, although Senator STEPHENSON told me afterwards that he told them to send it to me—I supposed for my services; I do not know for what.
 The CHAIRMAN. Did you receive \$280 altogether from Senator STEPHENSON?
 Mr. REYNOLDS. Yes, sir.
 The CHAIRMAN. You received \$80 from Senator STEPHENSON personally, did you not?
 Mr. REYNOLDS. Yes.
 The CHAIRMAN. Then you received \$100 from Senator STEPHENSON personally?
 Mr. REYNOLDS. No, sir; not personally.
 The CHAIRMAN. From whom did you receive it?
 Mr. REYNOLDS. I received it through the mail.
 The CHAIRMAN. Did you receive the second \$100 through the mail?
 Mr. REYNOLDS. The second \$100; yes, sir; that is the only \$100 I received through the mail, the second \$100—no; the first \$100. The first \$100.

The CHAIRMAN. Did you receive another \$100 after that?
 Mr. REYNOLDS. I received \$100 by check from his manager.
 The CHAIRMAN. Did you receive \$100 by check from Senator STEPHENSON?
 Mr. REYNOLDS. No, sir.
 The CHAIRMAN. Did you receive more than one sum of \$100 from the manager?
 Mr. REYNOLDS. That is all I received from the manager—\$100; a \$100 check.
 The CHAIRMAN. Tell us how you received the \$280.
 Mr. REYNOLDS. I received \$80 from Senator STEPHENSON and \$100 afterwards from him.
 The CHAIRMAN. From Senator STEPHENSON?
 Mr. REYNOLDS. Yes.
 The CHAIRMAN. Personally?
 Mr. REYNOLDS. Not personally; no.
 The CHAIRMAN. How did you receive it?
 Mr. REYNOLDS. Through the mail.

The CHAIRMAN. To whom did you pay the largest sum of money?
 Mr. RIORDAN. In all?
 The CHAIRMAN. Yes.
 Mr. RIORDAN. During the campaign?
 The CHAIRMAN. Yes; out of this fund.
 Mr. RIORDAN. For any purpose?
 The CHAIRMAN. Yes.
 Mr. RIORDAN. \$250 to E. A. Everett, of Eagle River.
 The CHAIRMAN. For what did you pay him that sum?
 Mr. RIORDAN. For traveling through the counties of Vilas, Iron, and Oneida and ascertaining, as far as he was able, the sentiment of the people as he went along; that is, those who were for and against each of the several candidates.

The CHAIRMAN. Did he report to you, a memorandum of people, showing the result of that work?
 Mr. RIORDAN. He made two such trips through the county. After the first one he came back and made a report to me, and the second time he came back and made a similar report.

The CHAIRMAN. Tell us who he was.
 Mr. RIORDAN. E. A. Everett is the proprietor of the Everett resort.
 The CHAIRMAN. What is that?
 Mr. RIORDAN. That consists of a large hotel dining room and about 40 cottages on the Eagle chain of lakes, at Eagle River.
 The CHAIRMAN. It is a summer resort?
 Mr. RIORDAN. It is a summer resort. Prior to that time he was a member of the Wisconsin Assembly.
 The CHAIRMAN. But at the time you made this arrangement with him he was not a public officer?
 Mr. RIORDAN. He was a candidate for public office.
 The CHAIRMAN. What office?
 Mr. RIORDAN. The office of member of the assembly.
 The CHAIRMAN. At the time you paid him this money?
 Mr. RIORDAN. I did not pay him the money, I see by my testimony, until the 31st of August.

Senator POMERENE. Is that George E. Everett?
 Mr. RIORDAN. E. A. Everett.
 The CHAIRMAN. The testimony would indicate that you paid it to him before the primary election.
 Mr. RIORDAN. I think a day or two before the primary election.
 Mr. LITTLEFIELD. He was a candidate for the assembly?
 Mr. RIORDAN. Yes.
 The CHAIRMAN. Was he elected?
 Mr. RIORDAN. No, sir.
 The CHAIRMAN. When you paid it to him, did you know that he was a candidate for the assembly?
 Mr. RIORDAN. I think I did, certainly. I surely talked with him about it.

The CHAIRMAN. Was he announcing for whom he would vote in the legislature if he were elected?
 Mr. RIORDAN. Yes; he was to vote for the candidate who received the primary nomination.
 The CHAIRMAN. Without regard to who it was?
 Mr. RIORDAN. Yes; and I would like to add there that the man who was running against him made the same promise.
 Mr. LITTLEFIELD. What was his name?
 Mr. RIORDAN. D. B. Stevens.
 The CHAIRMAN. They promised to abide the result of the primary?
 Mr. RIORDAN. Yes. The campaign was made with that understanding.
 The CHAIRMAN. For whom did they assert their influence during the primary, the time preceding the election?
 Mr. RIORDAN. I think for themselves, individually.
 The CHAIRMAN. Were they announcing their support of any particular candidate, or doing anything in the interest of any particular candidate?
 Mr. RIORDAN. No; I do not think they were.

BANCROFT'S METHODS.

The CHAIRMAN (reading):
 "The result of our conference was that I, being pretty well acquainted with the county, and knowing who the political workers were in the county, consented to disburse this amount of money for Mr. STEPHENSON."

Is that correct?
 Mr. BANCROFT. That is correct.
 The CHAIRMAN. Give us the names of the people and the amounts you gave them.
 Mr. BANCROFT. George Mehaffy I paid \$100.
 The CHAIRMAN. What was he to do for that \$100?
 Mr. BANCROFT. I gave him no instructions whatever.
 Senator POMERENE. What is his address?
 Mr. BANCROFT. Richland Center.
 The CHAIRMAN. What did he do with the money?
 Mr. BANCROFT. I could not tell you.
 The CHAIRMAN. Did you ask him to render you an account of the manner of its expenditure?
 Mr. BANCROFT. I did not.
 The CHAIRMAN. Did he ever tell you how he expended the money?
 Mr. BANCROFT. He did not.
 The CHAIRMAN. Then you never knew?
 Mr. BANCROFT. I do not know.
 The CHAIRMAN. Did you ever know?
 Mr. BANCROFT. I never knew.

MONEY PAID TO MULDER, CANDIDATE FOR THE LEGISLATURE.

Mr. LITTLEFIELD. Then you said, "and he got some of this money"; so I got the impression that you referred to McConnell.
 Senator POMERENE. You understood that I was referring to Mulder?

Mr. GORDON. Yes.
 Mr. LITTLEFIELD. That is all right, then.
 Senator POMERENE. Yes; that is all right, so there will be no misunderstanding. Was it as much as \$50?
 Mr. GORDON. I can not tell you how much it was.
 Senator POMERENE. You can certainly give us some idea as to whether it was a matter of \$5 or \$10 or \$50 or \$100.
 Mr. GORDON. I can not tell you definitely how much it was.
 Senator POMERENE. I know; but I am not asking you for that. I am asking you for your best judgment about it.
 Mr. GORDON. It was probably, I should guess, from \$25 to \$50.
 Senator POMERENE. What did you say to him with reference to his campaign and what use was to be made of this money?
 Mr. GORDON. He was one of the original Stephenson men in the county, and I asked him to do what he could in the interest of Mr. STEPHENSON.
 Senator POMERENE. What else was said?
 Mr. GORDON. That is all I can recollect. I do not recollect all that was said. That is what I naturally would say.
 Senator POMERENE. Since your attention has been directed to this matter, do you not recall that Mulder was a candidate for the general assembly?

Mr. GORDON. I say he was a candidate, but I can not recollect whether he was when I gave him the money or whether he subsequently became a candidate.

Senator POMERENE. I misunderstood you, then.
 Mr. GORDON. He was a candidate; yes.
 Senator POMERENE. We understand each other now—that he was in fact a candidate?

Mr. GORDON. He was a candidate; yes, sir.
 Senator POMERENE. But you meant to say that you do not remember whether at the time you gave him the money he was then an announced candidate or not?

Mr. GORDON. That is the idea.

WHEELER'S METHODS OF DISTRIBUTION.

William G. Wheeler distributed \$600 and aided in the "organization." Mr. C. B. Salmons was one of his lieutenants. Mr. Salmons reported the success of his operations in the following letter to his chief (p. 597):

BELOIT, WIS., September 1.

MY DEAR WHEELER: I inclose bills in blank which are correct. All the men and rigs were in the exclusive use of Stephenson. We did not mix any other candidates. We also had about as many more that were STEPHENSON and one or two other candidates. At this writing, 4 p. m., I predict 1,700 to 1,800 votes, and that STEPHENSON will get 65 per cent.

Very truly,

C. B. SALMONS.

We should pay these men in the morning.

(Our italics.)

MR. DART'S METHODS OF DISTRIBUTING MONEY.

Dart was one of the deputy game wardens, and received \$400 for "organization purposes."

The chairman read to the witness an extract from his testimony given before the legislative committee, as follows:

"Q. What did you do with it?—A. Spent it.
 "Q. How?—A. Every old way.
 "Q. What is that?—A. Every way.
 "Q. Tell us some way that you spent it.—A. Oh, I spent quite a lot of it in saloons."
 The CHAIRMAN. Is that true?
 Mr. DART. Well, I should not go past any of them if there was anybody there I wanted to see.

The CHAIRMAN (reading from previous testimony):
 "Q. Did you make any payments to individuals?—A. Oh, yes; I gave them quite a little bunch of money.
 "Q. Who were the persons to whom you gave 'quite a little bunch of money'?—A. Oh, I don't know; I could not mention half or a quarter of them."

He, however, on pages 977 to 982, gives an interesting account of the expenditures that he remembers.

The testimony of Mr. Wellensgard, on pages 852, 855, and 856; that of Mr. French, at page 876; and that of George Beyer, at page 881, furnish fair illustrations of the methods employed by local workers.

LIQUOR EXPENDITURES.

Senator POMERENE. Or, if he got a drink of whisky at the bar and drank it there, that would not be prohibited; but if he got a half a pint and put it in his pocket and took it away for a swig after a while, that would be illegal?

Mr. SACKET. I think I should have to revert to the custom again and say that the half pint was lawful.

Senator SUTHERLAND. Is it the custom in Wisconsin to buy the voters bottles of whisky and give to them?

Mr. SACKET. And kegs of beer; yes, sir.

Senator SUTHERLAND. And kegs of beer?

Mr. SACKET. Yes, sir.

Mr. LITTLEFIELD. Let me get that question.

Senator POMERENE. Being from Maine, you do not know anything about that.

Mr. LITTLEFIELD. That is why I was quite anxious to get the actual practical situation. I trust we are adding to the sum of human knowledge and at the same time increasing my own information. Of course, I fully realize my infirmity.

Senator SUTHERLAND. Now, Mr. Sacket, do you seriously mean that that is the custom in Wisconsin?

Mr. SACKET. The custom, as I understand it; yes, sir.

Senator SUTHERLAND. To purchase bottles of whisky and kegs of beer for voters?

Mr. SACKET. Yes, sir.

The CHAIRMAN (reading):
 "Q. You kept no track of it. How could you present a bill to Mr. Wayland? Was that just an estimate of what you spent?—A. No. I think there was \$135 cash I had in my pocket, without the automobile, which was \$15. I think it was \$150 I had that day when I left the office."

Is that correct?

Mr. O'CONNOR. Yes, sir.

The CHAIRMAN (reading):

"Q. And you spent all that in one day?—A. Yes, sir."

(827) Mr. O'CONNOR. No, sir; it was a supper, I guess, that cost about \$1.60 for the two of us.

Senator SUTHERLAND. You spent \$1.60 for food, as I understand you?

Mr. O'CONNOR. Yes, sir.

Senator SUTHERLAND. That would leave \$305.40 for whisky and cigars and automobiles?

Mr. O'CONNOR. Yes, sir.

Senator SUTHERLAND. Do you think you spent a little too much for food?

Mr. O'CONNOR. No; I did not think anything about it.

Senator SUTHERLAND. You do not recall spending any of the money for anything else.

Mr. O'CONNOR. That is all it was spent for.

Senator SUTHERLAND. That is, you spent \$305.40 for an automobile and for whisky and cigars?

Mr. O'CONNOR. Yes, sir.

Senator SUTHERLAND. And that was your notion of furthering the interests of Senator STEPHENSON in this campaign, was it?

Mr. O'CONNOR. That is the way they make a campaign up in that territory.

Senator SUTHERLAND. That is the way you made it, at all events?

Mr. O'CONNOR. That is customary up there.

MONEY PAID TO "ENTHUSE" VOTERS.

The CHAIRMAN. Mr. Edmonds, did you pay the \$50 to Mr. Dettman on August 8?

Mr. EDMONDS. My recollection is not clear on that, but I think I sent it to him.

The CHAIRMAN. You think you sent it to him; for what purpose?

Mr. EDMONDS. For assistance among the German Lutherans in his locality.

The CHAIRMAN. What kind of assistance?

Mr. EDMONDS. So that he would get out and help to get out the vote—interest his friends—for Senator STEPHENSON.

The CHAIRMAN. There was no vote to be gotten out on August 8 for any purpose—nearly a month before the election.

Mr. EDMONDS. When I say getting out the vote, I do not refer to the actual carrying or taking of the persons to the polls, but to interest them so that they would get out.

The CHAIRMAN. Enthuse them?

Mr. EDMONDS. That is the idea—enthuse them. Thank you for the suggestion.

The CHAIRMAN. "O. L. Gust, \$300, August 8." Did you pay that money?

Mr. EDMONDS. I can not recall that payment at all.

The CHAIRMAN. What do you mean by lining them up for Senator STEPHENSON?

Mr. EDMONDS. Getting them interested in his election.

The CHAIRMAN. Discussing his election with them?

Mr. EDMONDS. Yes, sir.

The CHAIRMAN. Paying any money to them for any purpose?

Mr. EDMONDS. That was up to the man's judgment as to whether that was necessary or advisable in the conduct of the campaign for Senator STEPHENSON's election.

The CHAIRMAN. Was that money given to him to expend among the railroad men for cigars or treats of any kind if he saw fit to so expend it?

Mr. EDMONDS. So far as I know he might have expended it in that way.

The CHAIRMAN. There was no restriction placed upon it?

Mr. EDMONDS. I think not; not in that manner.

FINDING.

We regret that we can not feel warranted in finding for the sitting Member, but we believe the methods employed at the primary were corrupt; that they were against public policy; that they were demoralizing in character; that they directly contributed to destroy the purity and freedom of the election; that they violated the fundamental principles at the basis of our system of government; and that they are not to be tolerated by the Senate of the United States as a means of procuring a seat in that body.

We desire to submit the following resolution:

"Resolved, That ISAAC STEPHENSON was not duly and legally elected to a seat in the Senate of the United States by the Legislature of the State of Wisconsin."

W. L. JONES.
MOSES E. CLAPP.
WM. S. KENYON.
JNO. W. KERN.
LUKE LEA.

EXECUTIVE SESSION.

Mr. BURTON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 22, 1912, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 21, 1912.

PROMOTIONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Passed Asst. Surg. Henry S. Mathewson to be surgeon.

Passed Asst. Surg. Taliaferro Clark to be surgeon.

PROMOTIONS IN THE NAVY.

Lieut. Charles P. Burt to be a lieutenant commander.

Ensign Claudius R. Hyatt to be a lieutenant (junior grade).

POSTMASTERS.

ARIZONA.

E. J. Smith, Holbrook.

CALIFORNIA.

Enos F. Floyd, San Andreas.

Anne C. Mahan, Fort Jones.

Clarence S. Merrill, Berkeley.

COLORADO.

Jefferson D. Frazey, Antonito.

FLORIDA.

George A. Alba, St. Augustine.

George W. Duncan, Jasper.

IDAHO.

Francis Ball, Pocatello.

ILLINOIS.

George W. Martin, St. Anne.

Louis Opp, Belleville.

Henry C. Paradis, Mokenca.

Elmer E. Smith, Clayton.

C. N. Smith, Madison.

MAINE.

George E. Durrell, Skowhegan.

George A. Herrick, Madison.

MASSACHUSETTS.

Clarke P. Harding, Medway.

Edwin Smith, Mittineague.

MICHIGAN.

Jacob Le Roy Gumaer, Ovid.

NEBRASKA.

Thomas A. Boyd, Beaver City.

NEW HAMPSHIRE.

Frank S. Huckins, Ashland.

NEW YORK.

Henry R. Bryan, Hudson.

Arthur Hartt, Ravena.

William F. Lewis, Arcade.

Warren J. Martin, Port Chester.

James M. Requa, Tarrytown.

Charles E. Tracy, Newfane.

Oliver H. Tuthill, Rockville Center.

SOUTH CAROLINA.

Ellison Capers, jr., Summerton.

Martin Cauthen, Kershaw.

Charles D. Kennedy, Johnston.

Aaron M. Morris, Pickens.

William H. Ochsner, Chamberlain.

Alonzo D. Webster, Orangeburg.

WASHINGTON.

William O. Gregory, Burlington.

George Vetter, Sunnyside.

WEST VIRGINIA.

George T. Goshorn, Piedmont.

WISCONSIN.

Oscar C. Olman, Princeton.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 21, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, by the sun which illumines the earth; by the stars which shine by night; by the change of seasons; by the wonderful adaptation of means to ends; by the holy ties which bind us together into families; by the patriotism which inspires to deeds of heroism; by the faith which has come down to us out of the ages; by the hope which shines brighter than day; by the love which time nor space can sever; by the still, small voice Thou doest speak to us, and bid us go forward to the things which make for righteousness in the soul which shall survive the wreck of time, help us to hear and obey. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Curtiss, one of its clerks, announced that the Senate had passed joint resolution and bill of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 74. Joint resolution for an exhibit at the Fifth National Corn Exposition, at Columbia, S. C.; and

S. 4197. An act for the purchase of a site for the erection of a post office and public building at New Martinsville, Wetzel County, W. Va.

PRINTING OF ILLUSTRATIONS IN THE RECORD.

Mr. AKIN of New York. Mr. Speaker, I ask unanimous consent to have my speech of yesterday, in regard to the chemical schedule, printed in the RECORD.

Mr. MANN. Mr. Speaker, the matter of illustrations, under the law, has to go to the Joint Committee on Printing, and the House can not control it.

The SPEAKER. The gentleman is correct.

THE CHEMICAL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with proceedings under the calendar of to-day until the bill H. R. 20182, to revise the chemical schedule, is disposed of. I believe it requires a motion.

Mr. MANN. Mr. Speaker, I do not make a point of order on that motion. [Laughter.]

The SPEAKER. The question is on agreeing to the motion of the gentleman from Alabama.

The question was taken; and two-thirds having voted in favor thereof, the motion was agreed to.

The SPEAKER. Under the order of the House, the previous question having been ordered, the amendments will have to be voted upon first, and then the bill. Unless a separate vote is demanded on some particular amendment, the vote will be taken en bloc.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

Mr. DALZELL. Mr. Speaker, I move to recommit the bill with instructions, in accordance with the motion which I send to the Clerk's desk.

The SPEAKER. The gentleman from Pennsylvania [Mr. DALZELL] moves to recommit the bill with instructions. The Clerk will report the motion.

The Clerk read as follows:

I move to recommit the bill H. R. 20182, a bill to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, to the Committee on Ways and Means, with instructions to that committee to report amendments to the bill, striking out of the dutiable list in the bill certain noncompetitive crude materials now on the free list under existing law, and striking out of the bill increases in the tariff rate on certain crude materials carried by the bill and restoring the lower rates on said materials as provided by the existing tariff law, as follows, to wit:

Amend, page 2, line 7, by striking out the following words: "Benzoleic acid, 5 cents per pound."

Amend, page 2, line 13, by striking out the words "phthalic acid, 5 cents per pound."

Amend, page 2, lines 21 and 22, by striking out the words "egg albumen, 6 cents per pound," and inserting in lieu thereof the words "egg albumen, 3 cents per pound."

Amend, page 3, by striking out of lines 3 and 4, the following: "6. Alizarin, natural or artificial, and dyes derived from alizarin or from anthracene, 10 per cent ad valorem."

Amend, page 3, lines 14, 15, and 16, by striking out the words "Argols or crude tartar or wine lees crude or partly refined, containing not more than 90 per cent of potassium bitartrate, 10 per cent ad valorem," and inserting in lieu thereof the following: "Argols or crude tartar or wine lees crude, 5 per cent ad valorem; partly refined containing not more than 90 per cent of potassium bitartrate, 10 per cent ad valorem."

Amend, by striking out, on page 3, lines 20 to 25, inclusive, and on page 4, down to and including the semicolon in line 2, the following: "Balsams: Copaiba, fir or Canada, Peru, tolu, and all other balsams, which are natural and uncompounded and not suitable for the manufacture of perfumery and cosmetics, if in a crude state, not advanced in value or condition by any process or treatment whatever beyond that essential to the proper packing of the balsams and the prevention of decay or deterioration pending manufacture, 10 per cent ad valorem," and inserting in lieu thereof the following: "Balsams: Copaiba, fir or Canada, Peru tolu, and all other balsams."

Amend, page 6, lines 15 to 19, by striking out the following: "23. Coal-tar products known as dead and creosote oil, soluble and sulfonated dead and creosote oil, anthracene and anthracene oil, benzol, naphthol, resorcin, toluol, xylol; all the foregoing not medicinal and not colors or dyes, 5 per cent ad valorem."

Amend by striking out of lines 20 to 25, page 6, and lines 1 to 5, inclusive, page 7, the following:

"24. Coal-tar products known as anilin oil and salts, toluidin, xylidin, cumidin, binitroto-uol, binitrobenzol, benzidin, tolidin, dianisidin, naphthylamin, diphenylamin, benzaldehyde, benzyl chloride, nitrobenzol and nitrotoluol, naphthylaminisulfonacids and their sodium or potassium salts, naphtholsulfonacids and their sodium or potassium salts, amido-naphtholsulfonacids and their sodium or potassium salts, amidosulleylic acid, binitrochlorbenzol, diamidostilbendisulfo-acid, metanilic acid, paranitranilin, dimethylanilin; all the foregoing not medicinal and not colors or dyes, 10 per cent ad valorem."

Amend by striking out of the paragraph in lines 22 to 25, page 7, and lines 1 to 11, page 8, reading as follows: "28. Drugs, such as barks, beans, berries, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, stems, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncompounded drugs and not edible, and not specially provided for in this act or in the first section of the act cited for amendment,

but which are advanced in value or condition by peeling, shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, 10 per cent ad valorem: *Provided*, That no article containing alcohol shall be classified for duty under this paragraph," the words "peeling, shredding, grinding, chipping, crushing, or any other" and inserting in lieu thereof the word "any."

Amend, page 8, by striking out of line 12 the following: "29. Ergot, 10 cents per pound."

Amend, page 10, by striking out of paragraph 37, with the heading "Gums," from lines 5 to 7, the following:

"Amber, and amberoid unmanufactured, or crude gum, \$1 per pound; arabic, one-half of 1 cent per pound; camphor, crude, natural, 3 cents per pound."

And by striking out of lines 9 and 10 the following: "gum copal, one-half of 1 cent per pound; gum resin, 10 per cent ad valorem."

And by striking out of lines 13, 14, and 15 the words "gum Kauri and damar, and lac, crude, seed, button, and stick, 1 cent per pound; lac dye and shell, 1 1/2 cents per pound."

Amend, page 10, line 16, by striking out the word "indigo" where it first appears.

Amend, page 10, line 19, by striking out of line 19, after the heading "Iodine," the following:

"Crude, 10 cents per pound."

Amend, page 10, by striking out of paragraph 41 the following:

"Buchu leaves, 10 cents per pound;" "gentian, one-fourth of 1 cent per pound; licorice root, unground, fifteen one-hundredths of 1 cent per pound; sarsaparilla root, 1 cent per pound."

Amend, page 11, by striking out in lines 3 to 7 the words "cassia buds, cassia, and cassia vera; cinnamon and cinnamon chips"; "nutmegs; pepper, black or white; capsicum or red pepper, or cayenne pepper; and clove stems, 1 cent per pound; cloves, 2 cents per pound;" and inserting in lieu thereof the following:

"Cassia buds, cassia, and cassia vera; cinnamon and cinnamon chips"; "nutmegs; pepper, black or white; capsicum or red pepper, or cayenne pepper; clove stems and cloves, all the foregoing, when ground, 2 cents per pound."

Amend, page 11, lines 13, 14, and 15, by striking out the following: "42. Lemon juice, lime juice, and sour orange juice, all the foregoing containing not more than 2 per cent of alcohol, 10 per cent ad valorem."

Amend, page 11, line 19, by striking out the following:

"44. Lime, citrate of, 1 cent per pound."

Amend, page 11, lines 23 and 24, by striking out the following:

"Magnesite, calcined, not purified, \$1 per ton."

Amend, page 12, line 25, and page 13, line 1, by striking out the following: "coconut oil, palm oil, palm-kernel oil, and soya-bean oil, one-fourth of 1 cent per pound," and insert in lieu thereof the following: "refined, deodorized coconut oil, one-fourth of 1 cent per pound."

Amend, page 13, lines 1 to 5, by striking out the following:

"Olive oil, rendered unfit for use as food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him, three-eighths of 1 cent per pound."

Amend, page 13, line 8, by striking out the following:

"And peanut oil, 10 cents per gallon."

Amend, page 13, lines 8 and 9, by striking out the following:

"And Chinese-nut oil, 5 cents per gallon."

Amend, page 13, lines 9, 10, 11, and 12, by striking out the following: "Almond oil, sweet, 5 cents per pound; mace oil, 8 cents per pound; sesame or sesamum seed or bean oil, 1 1/2 cents per pound."

Amend, page 13, lines 21 to 25, and page 14, line 1, by striking out the following words: "anise or anise seed; bergamot; camomile; caraway; cassia, cinnamon; cedrat; citronella or lemon grass; jasmine or jasminine; juniper; lavender, and aspic or spike lavender; lemon; limes; neroli or orange flower;" "origanum, red or white; rosemary or anethos; attar of roses, thyme; and valerian;" now carrying in the bill 20 per cent ad valorem.

Amend, page 15, lines 16 and 17, by striking out the following:

"Ambergris; enfeurage grease; musk, crude, in natural pods, and" "civet, crude;" now carrying in the bill 20 per cent ad valorem.

Amend, page 19, lines 5 to 8, by striking out the words "Potash: Bicarbonate of, and carbonate of, refined, one-half of 1 cent per pound; hydrate of, six-tenths of 1 cent per pound; hydrate of, in sticks or rolls, 1 cent per pound;" and inserting in lieu thereof the following: "Potash: Bicarbonate of, one-half of 1 cent per pound; caustic potash or hydrate of, refined, in sticks or rolls, 1 cent per pound;"

Amend, page 19, lines 10 and 11, in the paragraph headed "Potash," by striking out the words "nitrate of, or saltpeter, crude, \$3 per ton; refined, \$7 per ton;" and inserting in lieu thereof the following: "nitrate of, or saltpeter, refined, \$7 per ton;"

Amend, page 20, lines 21 and 22, by striking out the following: "vanilla beans, 50 cents per pound;"

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania to recommit with instructions. The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. DALZELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 130, nays 182, answered "present" 9, not voting 72, as follows:

YEAS—130.

Ainey	Cooper	Foster, Vt.	Heald
Ames	Crago	French	Helgesen
Anderson, Minn.	Crumpacker	Fuller	Henry, Conn.
Barchfeld	Currier	Gardner, Mass.	Higgins
Barthold	Curry	Gardner, N. J.	Hill
Bates	Dalzell	Gillett	Hinds
Berger	Davidson	Good	Howell
Bingham	Davis, Minn.	Green, Iowa	Howland
Bowman	De Forest	Griest	Humphrey, Wash.
Bradley	Draper	Guernsey	Jackson
Browning	Driscoll, M. E.	Hamilton, Mich.	Kahn
Burke, S. Dak.	Dwight	Hanna	Kendall
Butler	Dyer	Harris	Kennedy
Calder	Esch	Hartman	Kinkaid, Nebr.
Campbell	Farr	Haugen	Knowland
Cannon	Focht	Hawley	Kopp
Cattin	Foss	Hayes	Lafferty

La Follette	Martin, S. Dak.	Porter	Thistlewood
Langham	Miller	Powers	Towner
Lawrence	Mondell	Pray	Volstead
Lenroot	Moore, Pa.	Prouty	Vreeland
Lindbergh	Moore, Pa.	Rees	Warburton
Longworth	Morgan	Roberts, Nev.	Wedemeyer
Loud	Morse, Wis.	Rodenberg	Weeks
McCall	Mott	Simmons	Wilder
McCreary	Murdock	Sloan	Willis
McGuire, Okla.	Needham	Smith, J. M. C.	Wilson, Ill.
McKenzie	Nelson	Speer	Wood, N. J.
McKinley	Norris	Steenerson	Woods, Iowa
McKinney	Nye	Stephens, Cal.	Young, Kans.
McMorran	Olmsted	Sterling	Young, Mich.
Madden	Patton, Pa.	Stevens, Minn.	
Mann	Pickett	Sulloway	

NAYS—182.

Adair	Difenderfer	Holland	Randell, Tex.
Adamson	Dixon, Ind.	Houston	Ransdell, La.
Akin, N. Y.	Doremus	Howard	Rauch
Alexander	Doughton	Hughes, N. J.	Redfield
Anderson, Ohio	Driscoll, D. A.	Hull	Reilly
Ansberry	Dupre	Humphreys, Miss.	Richardson
Ashbrook	Edwards	Jacoway	Roddenberry
Barnhart	Ellerbe	James	Rothermel
Bartlett	Evans	Johnson, Ky.	Rubey
Bathrick	Faison	Johnson, S. C.	Rucker, Colo.
Beall, Tex.	Fergusson	Jones	Rucker, Mo.
Bell, Ga.	Ferris	Kitchin	Russell
Blackmon	Finley	Konig	Scully
Booher	Fitzgerald	Konop	Shackelford
Broussard	Flood, Va.	Lamb	Sherley
Brown	Floyd, Ark.	Lee, Pa.	Sherwood
Buchanan	Fornes	Legare	Sims
Burgess	Foster, Ill.	Lever	Small
Burleson	Fowler	Levy	Smith, N. Y.
Burnett	Gallagher	Linthicum	Smith, Tex.
Byrnes, S. C.	Garner	Littlepage	Sparkman
Byrns, Tenn.	Garrett	Littleton	Stedman
Callaway	Glass	Lloyd	Stephens, Miss.
Candler	Godwin, N. C.	Lobeck	Stephens, Nebr.
Carlin	Goeke	McCoy	Stephens, Tex.
Carter	Goldfogle	McDermott	Stone
Clark, Fla.	Goodwin, Ark.	McGillcuddy	Sulzer
Claypool	Gould	McKellar	Taggart
Clayton	Gray	Maguire, Nebr.	Taylor, Ala.
Cline	Gregg, Pa.	Maher	Taylor, Colo.
Collier	Gregg, Tex.	Martin, Colo.	Thayer
Connell	Gudger	Moon, Tenn.	Tribble
Conry	Hamill	Moore, Tex.	Turnbull
Covington	Hamilton, W. Va.	Morrison	Tuttle
Cox, Ind.	Hamlin	Moss, Ind.	Underhill
Cox, Ohio	Hammond	Neeley	Underwood
Cullop	Hardwick	Padgett	Watkins
Curley	Hardy	Page	Webb
Daugherty	Harrison, Miss.	Palmer	White
Davenport	Harrison, N. Y.	Pepper	Wickliffe
Davis, W. Va.	Hay	Peters	Wilson, N. Y.
Dent	Hayden	Post	Wilson, Pa.
Denver	Heflin	Pou	Witherspoon
Dickinson	Helm	Pujo	Young, Tex.
Dickson, Miss.	Henry, Tex.	Rainey	
Dies	Hensley	Raker	

ANSWERED "PRESENT"—9.

Andrus	Donohoe	Hobson	Talbot, Md.
Brantley	Estopinal	Langley	Tilson
Bulkley			

NOT VOTING—72.

Aiken, S. C.	Francis	Malby	Sells
Allen	George	Matthews	Sharp
Anthony	Graham	Mays	Sheppard
Austin	Greene, Mass.	Murray	Sisson
Ayres	Hubbard	Oldfield	Slayden
Boehne	Hughes, Ga.	O'Shaunessy	Slemp
Borland	Hughes, W. Va.	Parran	Smith, Saml. W.
Burke, Pa.	Kent	Patten, N. Y.	Smith, Cal.
Burke, Wis.	Kindred	Payne	Stack
Cantrill	Kinkadee, N. J.	Plumley	Stanley
Cary	Korby	Prince	Sweet
Copley	Lafane	Reyburn	Switzer
Cravens	Lee, Ga.	Riordan	Talcott, N. Y.
Danforth	Lewis	Roberts, Mass.	Taylor, Ohio
Dodds	Lindsay	Robinson	Thomas
Fairchild	McHenry	Rouse	Townsend
Fields	McLaughlin	Sabath	Utter
Fordney	Macon	Saunders	Whitacre

So the motion to recommit was rejected.

The Clerk announced the following pairs:
For the remainder of this session:

Mr. RIORDAN with Mr. ANDRUS.

Mr. HOBSON with Mr. FAIRCHILD.

Until further notice:

Mr. STANLEY with Mr. TAYLOR of Ohio.

Mr. SABATH with Mr. SWITZER.

Mr. AIKEN of South Carolina with Mr. PRINCE.

Mr. LEE of Georgia with Mr. MATTHEWS.

Mr. KINDRED with Mr. McLAUGHLIN.

Mr. FRANCIS with Mr. KENT.

Mr. CANTRILL with Mr. FORDNEY.

Mr. ALLEN with Mr. REYBURN.

Mr. HUGHES of Georgia with Mr. HUGHES of West Virginia.

Mr. COX of Ohio with Mr. SAMUEL W. SMITH.

Mr. OLDFIELD with Mr. UTTER.

Mr. THOMAS with Mr. HUBBARD.

Mr. FIELDS with Mr. LANGLEY.
Mr. SISSON with Mr. TILSON.
Mr. WHITACRE with Mr. SELLS.
Mr. GEORGE with Mr. MALBY.
Mr. LEWIS with Mr. ANTHONY.
Mr. SLAYDEN with Mr. PLUMLEY.
Mr. TALBOTT of Maryland with Mr. PARRAN.
Mr. BOEHNE with Mr. SLEMP.
Mr. GRAHAM with Mr. DODDS.
Mr. MACON with Mr. SMITH of California.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. SHARP with Mr. LAFEAN.
Mr. BORLAND with Mr. COPLEY.
Mr. AUSTIN (for recommitting) with Mr. SAUNDERS (against recommitting).

Mr. PAYNE (for recommitting) with Mr. BRANTLEY (against recommitting).

Until February 23, noon:

Mr. ESTOPINAL with Mr. ROBERTS of Massachusetts.

Until Monday noon:

Mr. BULKLEY with Mr. DANFORTH.

Mr. ESTOPINAL. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is recorded in the negative.

Mr. ESTOPINAL. I am paired with the gentleman from Massachusetts, Mr. ROBERTS, and I desire to withdraw my vote and to answer "present."

Mr. LANGLEY. Mr. Speaker, I inadvertently voted "aye." I am paired with my colleague, Mr. FIELDS, and desire to withdraw my vote and to answer "present."

Mr. HOBSON. I wish to ask if the gentleman from New York, Mr. FAIRCHILD, has voted?

The SPEAKER. He is not recorded.

Mr. HOBSON. Then I desire to withdraw my vote and to answer "present."

Mr. TILSON. May I ask if the gentleman from Mississippi, Mr. SISSON, has voted?

The SPEAKER. He is not recorded.

Mr. TILSON. I voted "aye." I am paired with the gentleman from Mississippi, Mr. SISSON, and desire to withdraw my vote and to answer "present."

Mr. WEEKS. I wish to inquire if the gentleman from Texas, Mr. BURGESS, voted?

The SPEAKER. He did not.

Mr. WEEKS. I supposed I was paired with the gentleman, and I voted "present." I desire to change my vote and to answer "aye."

Mr. SELLS. Mr. Speaker, I seem to have been paired with the gentleman from Ohio, Mr. WHITACRE, without my knowledge. I voted "aye," but wish to withdraw my vote and to be recorded as "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is, Shall the bill pass?

Mr. UNDERWOOD. On that I demand the yeas and nays.

Mr. MANN. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 179, nays 127, answered "present" 11, not voting 77, as follows:

YEAS—179.

Adair	Davenport	Gudger	Lloyd
Adamson	Davis, W. Va.	Hamill	Lobeck
Akin, N. Y.	Dent	Hamilton, W. Va.	McCoy
Alexander	Denver	Hamlin	McDermott
Anderson, Ohio	Dickinson	Hammond	McGillcuddy
Ansberry	Dickson, Miss.	Hanna	McKellar
Ashbrook	Dies	Hardwick	Maguire, Nebr.
Barnhart	Difenderfer	Hardy	Maher
Bartlett	Dixon, Ind.	Harrison, Miss.	Martin, Colo.
Bathrick	Doremus	Harrison, N. Y.	Moon, Tenn.
Beall, Tex.	Doughton	Hay	Moore, Tex.
Bell, Ga.	Driscoll, D. A.	Hayden	Morrison
Blackmon	Dupre	Heflin	Moss, Ind.
Booher	Edwards	Helm	Neeley
Broussard	Ellerbe	Henry, Tex.	Padgett
Brown	Evans	Hensley	Page
Buchanan	Faison	Holland	Palmer
Burgess	Fergusson	Houston	Pepper
Burleson	Ferris	Howard	Peters
Burnett	Finley	Hughes, N. J.	Post
Byrnes, S. C.	Fitzgerald	Hull	Pujo
Byrns, Tenn.	Flood, Va.	Humphreys, Miss.	Rainey
Callaway	Floyd, Ark.	Jacoway	Raker
Candler	Fornes	Johnson, Ky.	Randell, Tex.
Carlin	Foster, Ill.	Johnson, S. C.	Ransdell, La.
Carter	Fowler	Jones	Rauch
Clark, Fla.	Gallagher	Kitchin	Redfield
Clayton	Garner	Konig	Reilly
Cline	Garrett	Konop	Richardson
Collier	Glass	Lamb	Roddenberry
Connell	Godwin, N. C.	Lee, Pa.	Rothermel
Conry	Goeke	Legare	Rubey
Covington	Goldfogle	Lever	Rucker, Colo.
Cox, Ind.	Goodwin, Ark.	Levy	Rucker, Mo.
Cullop	Gray	Linthicum	Russell
Curley	Gregg, Pa.	Littlepage	Scully
Daugherty	Gregg, Tex.	Littleton	Shackelford

Sherley
Sherwood
Sims
Small
Smith, N. Y.
Smith, Tex.
Sparkman
Stedman

Stephens, Miss.
Stephens, Nebr.
Stephens, Tex.
Stone
Sulzer
Taggart
Taylor, Ala.
Taylor, Colo.

Thayer
Tribble
Turnbull
Tuttle
Underhill
Underwood
Watkins
Webb

White
Wickliffe
Wilson, N. Y.
Wilson, Pa.
Witherspoon
Young, Tex.
The Speaker

NAYS—127.

Ainey
Ames
Anderson, Minn.
Barchfeld
Bartholdt
Bates
Berger
Bingham
Bowman
Bradley
Browning
Burke, S. Dak.
Rutler
Calder
Campbell
Cannon
Catlin
Cooper
Crago
Crumpacker
Currier
Curry
Davidson
Davis, Minn.
De Forest
Draper
Driscoll, M. E.
Dwight
Dyer
Esch
Farr
Focht

Foster, Vt.
French
Fuller
Gardner, Mass.
Gardner, N. J.
Gillett
Good
Green, Iowa
Griest
Guernsey
Hamilton, Mich.
Harris
Hartman
Haugen
Hawley
Hayes
Heald
Helgesen
Henry, Conn.
Higgins
Hill
Hinds
Howell
Howard
Humphrey, Wash.
Jackson
Kahn
Kendall
Kennedy
Kinkaid, Nebr.
Knowland
Kopp

La Follette
Langham
Lawrence
Lenroot
Lindbergh
Longworth
Loud
McCall
McCreary
McKenzie
McKinley
McKinney
McMorran
Madden
Mann
Martin, S. Dak.
Miller
Mondell
Moon, Pa.
Moore, Pa.
Morgan
Morse, Wis.
Mott
Murdock
Needham
Nelson
Norris
Nye
Olmsted
Patton, Pa.
Pickett
Pogter

Powers
Pray
Prouty
Rees
Reyburn
Roberts, Nev.
Rodenberg
Sells
Simmons
Sloan
Smith, J. M. C.
Speer
Steenerson
Stephens, Cal.
Sterling
Stevens, Minn.
Sulloway
Taylor, Ohio
Thistlewood
Towner
Volstead
Warburton
Wedemeyer
Weeks
Wilder
Willis
Wilson, Ill.
Wood, N. J.
Woods, Iowa
Young, Kans.
Young, Mich.

ANSWERED "PRESENT"—11.

Andrus
Brantley
Bulkley

Donohoe
Estopinal
Hobson

James
Langley
McGuire, Okla.

Talbott, Md.
Tilson

NOT VOTING—77.

Aiken, S. C.
Allen
Anthony
Austin
Ayres
Boehne
Borland
Burke, Pa.
Burke, Wis.
Cantrill
Cary
Claypool
Copley
Cox, Ohio
Cravens
Dalzell
Danforth
Dodds
Fairchild
Fields

Fordney
Francis
George
Gould
Graham
Greene, Mass.
Hubbard
Hughes, Ga.
Hughes, W. Va.
Kent
Kindred
Kinkead, N. J.
Korby
Lafey
Lafferty
Lee, Ga.
Lewis
Lindsay
McHenry

McLaughlin
Macon
Malby
Matthews
Mays
Murray
Oldfield
O'Shaunessy
Parran
Patten, N. Y.
Payne
Plumley
Pou
Prince
Riordan
Roberts, Mass.
Robinson
Rouse
Sabath
Saunders

Sharp
Sheppard
Sisson
Slayden
Slomp
Smith, Saml. W.
Smith, Cal.
Stack
Stanley
Sweet
Switzer
Talcott, N. Y.
Thomas
Townsend
Utter
Vreeland
Whitacre

So the bill was passed.

The following additional pairs were announced:
Until further notice:

Mr. ALLEN with Mr. BURKE of Pennsylvania.

Mr. CLAYPOOL with Mr. GREENE of Massachusetts.

Mr. KORBY with Mr. LAFFERTY.

Mr. WHITACRE with Mr. VREELAND.

Mr. POU (for) with Mr. FOSS (against).

Mr. CARTER (for) with Mr. MCGUIRE of Oklahoma (against).

Mr. JAMES (for) with Mr. DALZELL (against).

Mr. BRANTLEY (for) with Mr. PAYNE (against).

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted "yea" as above recorded.

The result of the vote was then announced as above recorded.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HOBSON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. HOBSON. Mr. Speaker, I left Washington Saturday morning, paired with the gentleman from New York [Mr. FAIRCHILD], for the purpose of taking part in the patriotic exercises held Sunday afternoon in Chattanooga, Tenn., under the auspices of the Young Men's Christian Association, in commemoration of the birth of George Washington. Upon my arrival in Chattanooga, about 11 o'clock Saturday night, I was handed a telegram from the United Press Association, of New York, a copy of which I send to the desk with the request that it may be read.

The Clerk read as follows:

Representatives HAY and FITZGERALD charged you with cowardice on the floor of the House in connection with your statement inserted in the

Record under leave to print. Will you please wire us your statement, so we can give your side as well to Sunday morning papers?

Mr. HOBSON. Mr. Speaker, a similar dispatch from the Associated Press was handed to me by its correspondent about the same time. I dictated a hasty reply, a copy of which I send to the desk, with a request that it may also be read.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

In the absence of the statements themselves it is difficult for me to make a statement in reply. You say they used the word "cowardice" upon the floor of the House? All I have to say in that connection is that I myself would have reserved such a word to use to a man's face. Mr. HAY and Mr. FITZGERALD remember well my repeated effort on Friday afternoon to make my statements, to which they take offense, upon the floor. It was their own interference with unjustified points of order that prevented me from making my statements to their faces.

I notice, however, that they do not see fit to await my return to make another personal assault upon me. An examination of the RECORD will show that I made no personal attack on Chairman HAY in the first instance, but only on the method of procedure. His reply, on the other hand, was bitter and personal. After the session was over I went to his office and explained to him that there was nothing personal in my remarks, and if he had been a full-rounded man he would have promptly removed the personalities in his remarks before they were published in the RECORD. With the short vision of a small soul he evidently interpreted my call as an effort to get him to change his remarks on account of the damage he thought he might do me politically, when my mission to his office was to make plain to him my own position and explain there was nothing personal intended in my remarks.

Mr. FITZGERALD had no legitimate place in the controversy between Mr. HAY and myself. He has only himself to blame for any discomfort he has experienced. I will see from the RECORD just what HAY has said in my absence, and will take such action as is called for in the premises. I do not know whether it was courage or cowardice that caused them to interfere with me making my statements on the floor of the House. They certainly did not find cowardice in my remarks as printed. In using that word myself I would not have chosen a time when a man was absent, nor would I have chosen the floor of the House to make the charge.

Mr. BLACKMON rose.

The SPEAKER. For what purpose does the gentleman from Alabama [Mr. BLACKMON] rise?

Mr. BLACKMON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLACKMON. I would like to know the point of personal privilege which the gentleman makes, and if that takes precedence over business in order on Calendar Wednesday that is regularly on the calendar?

The SPEAKER. The Chair looked into that matter and can not believe that the House ever intended, by the establishment of Calendar Wednesday, to take away the right of a Member to rise to a question of personal privilege. The Chair wants to preserve Calendar Wednesday. Matters of privilege could not intervene, but there is a great difference between a privileged question and question of privilege. The gentleman from Alabama [Mr. HOBSON] claims that he rises to a question of privilege.

Mr. BLACKMON. Mr. Speaker, my purpose in making this inquiry is this: I do not want to be discourteous to the gentleman from Alabama, certainly; but there is on the calendar a matter that is of gravest importance to the whole State of Alabama, and I can bring it up only upon Calendar Wednesday.

The SPEAKER. The Chair does not want to be discourteous to the gentleman from Alabama. The Chair has ruled, and the Chair has made up its mind on that question absolutely and resolutely. If the House does not agree with the Chair, it can appeal.

Mr. HOBSON. Mr. Speaker, my provisional reply was too late for publication, and the next day, Sunday, the press of the country published articles amplifying the statement epitomized in the press telegram just read. In practically all of them, without explanation from me, I am represented as accused of cowardice, neglect of duty, and charged with the use of underhand methods in my capacity as a Representative.

Mr. Speaker, in the deepest sense honor is a question of conscience beyond the reach of others, and rests in a man's own hands until he appears before his Maker. But in another sense a man's honor is held partly in the hands of others, determining in large share his good name and his association with his fellows, upon which depend chiefly his usefulness and largely his happiness in this world.

In the first sense honor is the most sacred thing in the universe, and even in the second sense it is held by honorable men above life itself. If I had an enemy—and I am not conscious of having one—I would strike at his life before I would strike at his honor. Before the people of America and before my colleagues of this House my honor and reputation as a Representative and as a man have been grievously assaulted upon the floor of this House, in my absence. I beg that the facts in the case and the questions involved may be determined without delay, and I request unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Alabama requests unanimous consent for the immediate consideration of the resolution which he sends to the Clerk's desk, which the Clerk will read.

The Clerk read as follows:

Resolution.

Whereas on page 2263, second column of the CONGRESSIONAL RECORD of February 17, one Member of the House referred to a second Member in the following words: "Under the rules of the House the two columns of the RECORD which he inserted may properly be stricken out, but I prefer to leave them there. They will not hurt me in any place and they will serve as an illustration of the type and character of the gentleman who in an underhand and covert manner resorted to this means of reflecting upon his colleagues"; and at the bottom of the same page and at the top of the next page of the RECORD another Member of this House referred to a second Member in the following words: "I want to say now that these remarks inserted in the RECORD in a covert way, in a way to which no man would resort if he had the frankness of spirit which a man should have, are false insinuations without basis or foundation in fact. The gentleman's reference to a Democratic caucus and to the fact that I was unable to get this bill before it is an insinuation which every member of that caucus knows to be untrue. The statement that there was a caucus in the sense of there being any meeting of the majority members of the Committee on Military Affairs to bind them to vote for any provision in this bill is absolutely without any foundation in fact"; and

Whereas it has been freely reported in the press of the country that a Member of the House accused a second Member of the House on the floor of the House of Representatives of cowardice in connection with his conduct as a Representative; Therefore be it

Resolved, That the Speaker is hereby directed to appoint a committee of five Members to investigate all matters of controversy or complaint between the Members in question that led to the above statements and accusations and to report their findings to the House, together with such recommendations as they may deem called for in the premises; and said committee is hereby authorized to send for persons and papers and to administer oaths and to sit during the sessions of the House, and that the cost and expenses of said committee shall be paid from the contingent fund of the House of Representatives. Said expenses shall be paid out on the order and audit of the chairman or acting chairman of said committee.

The SPEAKER. Is there objection?

Mr. HUGHES of New Jersey. Reserving the right to object to the present consideration of this resolution, I desire to call the attention of the gentleman from Alabama to the fact that what he is really asking for an investigation with reference to is a statement in the newspaper which a reading of the RECORD seems to disclose was not itself founded on fact. I shall object, Mr. Speaker—

Mr. HOBSON. Let me say to the gentleman before he takes his seat, if he listened carefully to the reading of the resolution he would notice that that was only part of the question to be investigated, and the gentleman will realize whether the word "cowardice" has been removed from the RECORD or not, it was used, I am informed, on the floor of the House; and if it is true that it has gone forth over the land that a colleague of mine on the floor of this House has accused me of cowardice, the assault and damage has been done. It is similar to cases in the Army and Navy, when an officer's honor has been assailed he is entitled to a court-martial. But the gentleman will find in addition to that question I cited words that are in the RECORD, one of which is the word "false," and the two together read "false insinuations," referring to statements of mine. I do not see how there could be any greater assault on a man's integrity than to accuse him of being guilty of false insinuations.

The SPEAKER. The gentleman from New Jersey objects.

Mr. HOBSON. Mr. Speaker, I move that the House consider the resolution—

Mr. HARDWICK. Mr. Speaker, a question of order.

The SPEAKER. The resolution is not a matter of privilege; the motion to consider it is not a matter of privilege.

Mr. HOBSON. Will the gentleman from New Jersey withdraw his objection after my explanation? He can clearly see that the honor of a Member is at stake, and that when a Member's honor is at stake no objection ought to be raised.

Mr. HUGHES of New Jersey. Mr. Speaker, I withdraw the objection.

The SPEAKER. The gentleman from New Jersey withdraws the objection.

Mr. MANN. Will the gentleman yield for a question?

Mr. HOBSON. Yes, sir.

Mr. MANN. Under the resolution proposed by the gentleman, is it the purpose to make an investigation of the statements made by the gentleman from New York and the gentleman from Virginia, or in connection with that to investigate the preparation of the Army appropriation bill?

Mr. HOBSON. I will say to the gentleman that a careful reading of the resolution will indicate that its purpose is purely and simply to investigate the questions at issue between Members upon which hinges the honor of a Member.

Mr. BERGER. Mr. Speaker—

The SPEAKER. The gentleman from Illinois has the floor.

Mr. MANN. I yield the floor.

Mr. BERGER. Mr. Speaker, reserving the right to object—
[Cries of "Too late!"]

Mr. BERGER. If you say it is too late, I shall most assuredly object. I did not have a chance before.

Mr. Speaker, as I see it, nobody in this country and surely no one in this House will accuse the gentleman from Alabama of cowardice. [Applause.] However, there are 125,000 unemployed in Chicago, according to the report of the employment bureau of the State of Illinois. If the gentleman from Alabama wants this House to spend a sum of money for some investigation, let us investigate the cause of this unemployment in Chicago. The money will be much better spent in that manner. We have no right to spend the people's money to investigate whether the remarks of the gentleman from Virginia did any damage to the personal code of honor of the gentleman from Alabama. And the gentleman from Virginia, by the way, behaved very nicely during the consideration of the Army bill. [Applause.] I say we have no right to spend the people's money to decide the fine points of any military code of honor. [Applause.]

The SPEAKER. Is there objection?

Mr. BERGER. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects.

Mr. SHERLEY and Mr. MANN rose.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The Chair ruled, as I understood it, that the gentleman from Alabama had stated the question of personal privilege. If that is the case, is it not also privileged to have an investigation of those charges as a matter of privilege? Is it not a privileged resolution to investigate a question of personal privilege?

The SPEAKER. The House will be in order. The Chair will state to the gentleman from Illinois [Mr. MANN] that, as a matter of fact, the Chair had not ruled whether it was a question of personal privilege or not. The Chair was never asked to rule on that question.

Mr. MANN. I believe that is correct.

Mr. HOBSON. Mr. Speaker, we had passed beyond the point of objection. When the gentleman from New Jersey [Mr. HUGHES] withdrew his objection, the Speaker then passed on to the consideration of the resolution. And I will say to the gentleman from Wisconsin [Mr. BERGER] that we will spend no money on this. The statement as to money is merely a form. If the gentleman has any other objection, I believe I can remove it.

Mr. HAY. Mr. Speaker, I ask the gentleman from Wisconsin [Mr. BERGER] to withdraw his objection. [Applause.]

Mr. BERGER. As long as it is not a question of money, I withdraw it. [Applause.]

Mr. HOBSON. I wish to thank the gentleman.

Mr. SHERLEY. Mr. Speaker, all of the facts in controversy are a matter of record in the House. I therefore feel it my duty to object, and I do object.

Mr. HOBSON. I can state that it has passed beyond the stage of objection.

Mr. GARDNER of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARDNER of Massachusetts. Mr. Speaker, I would like the attention of the gentleman from Alabama [Mr. HOBSON]. Is it not a parliamentary fact that the privileges of the House are invaded if this presents the question of personal privilege at all, and that therefore, if the gentleman from Alabama raises the question of the privileges of the House, it is in order, provided the Chair rules that it is within the privileges of the House, for the gentleman from Alabama [Mr. HOBSON] to introduce the resolution of investigation?

The SPEAKER. It is a very close question as to whether the gentleman from Alabama raises the question of personal privilege at all. But the Chair, in order to give him the benefit of the doubt, rules that he has a question of privilege. Now, having ruled on that, the Chair thinks the resolution is in order. [Applause.]

The question is on the resolution presented by the gentleman from Alabama [Mr. HOBSON].

Mr. FITZGERALD. Mr. Speaker, the gentleman from Alabama [Mr. HOBSON] had read at the Clerk's desk a dispatch, if I recall correctly, of the United Press, in which it was stated that Mr. HAY and Mr. FITZGERALD had charged the gentleman from Alabama with cowardice. I did not use that expression, and it is the only time I have heard that such a statement was attributed to me. Inasmuch as it was read at the desk, I thought I should make this statement. I have carefully read, however, the remarks made by me on Saturday last, to which reference is now made, and after careful examination of the

remarks, I wish to say to the House that if I were to repeat the statements in connection with the episode to which they had reference I should not change a single word I then said. [Applause.]

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARDNER of Massachusetts. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARDNER of Massachusetts. Mr. Speaker, I move to refer the resolution to the Committee on Rules. I make that motion for this reason: If it is not referred to the Committee on Rules, I shall vote for that resolution, but I think it would be better to send it to the Committee on Rules and have it put in proper shape. I do not think, as I heard it read, that it is in proper shape at present. I have every sympathy with the gentleman's desire to sift this matter, and my motion is made in absolute friendliness and not in hostility. However, I think it ought to go to the Committee on Rules for preliminary consideration, with instructions to report within a week. I withdraw my motion to refer it to the Committee on Rules and move to refer it to the Committee on Rules with instructions to report within a week.

Mr. HOBSON. Mr. Speaker—

The SPEAKER. Will the gentleman suspend in order to let the Chair again state the question? The gentleman from Massachusetts [Mr. GARDNER] moves to refer the resolution of the gentleman from Alabama [Mr. HOBSON] to the Committee on Rules with instructions to that committee to report within a week.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the original resolution may again be reported to the House.

The SPEAKER. Without objection, the resolution will be again reported.

Mr. HOBSON. Mr. Speaker, before the resolution is read, let me ask the gentlemen to listen very attentively. I think it is simplicity itself.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolution.

Whereas on page 2263, second column, of the CONGRESSIONAL RECORD of February 17, one Member of the House referred to a second Member in the following words: "Under the rules of the House the two columns of the RECORD which he inserted may properly be stricken out, but I prefer to leave them there—"

Mr. HOBSON. Mr. Speaker, that is not part of the resolution. That is simply part of the "Whereas." I ask that the Clerk read the resolution.

The Clerk read as follows:

Therefore be it resolved, That the Speaker is hereby directed to appoint a committee of five members to investigate all matters of controversy or complaint between the Members in question that led to the above statements and accusations and to report their findings to the House, together with such recommendations as they may deem called for in the premises, and said committee is hereby authorized to send for persons and papers and to administer oaths and to sit during the sessions of the House, and that the cost and expenses of said committee shall be paid from the contingent fund of the House of Representatives. Said expenses shall be paid out on the order and audit of the chairman or acting chairman of said committee.

Mr. UNDERWOOD. Mr. Speaker, I suggest to the gentleman from Alabama [Mr. HOBSON] that so far as I can see—

Mr. CANNON. Mr. Speaker, has the resolution been read in full?

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks whether the resolution has been read in full. Is that the question?

Mr. CANNON. That is the question.

Mr. HOBSON. The "Whereas" is not there.

Mr. CANNON. I am under the impression, if this is the second reading, that the reading omits a part of the "Whereas," which is necessary to be read in order to make the resolution intelligible.

Mr. HOBSON. I think, Mr. Speaker, that the gentleman is correct.

The SPEAKER. The Clerk will read the "Whereas." The Clerk did not read the "Whereas" before, because the gentleman from Alabama [Mr. HOBSON] asked him not to, so that it is not the Clerk's fault.

The Clerk read as follows:

Resolution.

Whereas on page 2263, second column, of the CONGRESSIONAL RECORD of February 17, one Member of the House referred to a second Member in the following words: "Under the rules of the House the two columns of the RECORD which he inserted may properly be stricken out, but I prefer to leave them there. They will not hurt me in any place, and they will serve as an illustration of the type and character of the gentleman who, in an underhand and covert manner, resorted to this means of reflecting upon his colleagues;" and at the bottom of the same page and at the top of the next page of the RECORD another Member of this House referred to a second Member in the following

words: "I want to say now that these remarks inserted in the RECORD in a covert way, in a way to which no man would resort if he had the frankness of spirit which a man should have, are false insinuations without basis or foundation in fact." * * * The gentleman's reference to a Democratic caucus and to the fact that I was unable to get this bill before it is an insinuation which every member of that caucus knows it to be untrue. * * * The statement that there was a caucus in the sense of there being any meeting of the majority members of the Committee on Military Affairs to bind them to vote for any provision in this bill is absolutely without any foundation in fact"; and

Whereas it has been freely reported in the press of the country that a Member of the House accused a second Member of the House on the floor of the House of Representatives of cowardice in connection with his conduct as a Representative: Therefore be it

Resolved, That the Speaker is hereby directed to appoint a committee of five Members to investigate all matters of controversy or complaint between the Members in question that led to the above statements and accusations, and to report their findings to the House, together with such recommendations as they may deem called for in the premises, and said committee is hereby authorized to send for persons and papers and to administer oaths and to sit during the sessions of the House, and that the cost and expenses of said committee shall be paid from the contingent fund of the House of Representatives. Said expenses shall be paid out on the order and audit of the chairman or acting chairman of said committee.

The SPEAKER. The gentleman from Massachusetts [Mr. GARDNER] moves that this resolution, presented by the gentleman from Alabama [Mr. HOBSON]—

Mr. HOBSON. Mr. Speaker, before that is put—

The SPEAKER (continuing). Be referred to the Committee on Rules with instructions to report within a week.

Mr. HOBSON. Mr. Speaker, perhaps the gentleman might withdraw it when I explain to him just what it is. It is not an accusation of anyone. I had hoped not to make any. I did not intend to make any in the first instance, but we are at the point now where, as in the military service, for instance, an officer finds himself in a position where his own character and honesty of purpose are impeached. I am simply asking for a court-martial, as it were, to vindicate my honor. I do not make any charges. I do not propose to bring any, and I have not brought any; but I claim the right to an opportunity simply to vindicate my honor.

Mr. PALMER. Mr. Speaker, will the gentleman yield?

Mr. GARDNER of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARDNER of Massachusetts. This being a debatable question, am I not entitled to the floor?

The SPEAKER. Certainly. If the gentleman demands the floor, he is entitled to the floor.

Mr. GARDNER of Massachusetts. I would be glad to yield the floor to the gentleman in a moment.

Mr. PALMER. But, Mr. Speaker, the gentleman from Alabama [Mr. HOBSON] had the floor, and I was proposing to ask him a question.

Mr. GARDNER of Massachusetts. The gentleman did not have the floor under the rules.

Mr. PALMER. He had it by unanimous consent.

The SPEAKER. The Chair will state that the gentleman from Massachusetts [Mr. GARDNER], having made the motion, is entitled to one hour, and the gentleman from Alabama [Mr. HOBSON] got the floor, as the Chair supposes, with the consent of the gentleman from Massachusetts.

Mr. GARDNER of Massachusetts. Now, Mr. Speaker, I have only a very few words to say about that resolution. As it now stands there are two questions involved. As to one of the questions, the gentleman from Alabama [Mr. HOBSON] is perfectly right in asking for an investigation. As to the other one, I do not think that he is right. I think he has every right to call for an investigation as to whether he did or did not act in a covert, cowardly, or improper manner, as charged. But his resolution as drawn goes a great deal further than that. It practically calls for an investigation of the whole question as to the methods employed by the Committee on Military Affairs in preparing the Army appropriation bill. That investigation, I submit, Mr. Speaker, would involve a waste of time, would cause much unnecessary bad feeling, and would set a very bad precedent.

If we are going into the question as to how committees proceed in order to prepare bills which they in all sincerity present as representing their best judgment, our task will be endless. How the Army bill was or was not prepared involves in no way a question of the personal privilege of the gentleman from Alabama. On the other hand, the question of whether or not he was properly assailed for printing certain remarks most certainly involves a question of personal privilege. It is for that reason that I have moved to refer this resolution to the Committee on Rules with instructions to report promptly, in order that it may be put in proper shape.

Mr. HOBSON. Mr. Speaker, will the gentleman yield?

Mr. GARDNER of Massachusetts. Certainly.

Mr. HOBSON. If the gentleman will again get the copy and look at it carefully, he will see that it merely brings in the questions to which he refers in order to determine a question of veracity. It does not cover the methods of any committee, and is not intended to; but it does enable the special committee to find out whether my statements are false or not. That is as far as it is intended to go, and of course the gentleman realizes that that question is more or less a question of fact.

Mr. GARDNER of Massachusetts. Mr. Speaker, I do not want to dispute this question with the gentleman from Alabama. It strikes me one way, it strikes him another; but I really think that the floor of the House is not as good a place as the Committee on Rules to take up in all coolness this question of dissociating an investigation of the Committee on Military Affairs from an investigation of charges made against the gentleman from Alabama [Mr. HOBSON]. Now, I yield to the gentleman from Pennsylvania [Mr. PALMER] such time as he may desire.

Mr. PALMER. I only want two or three minutes.

Mr. GARDNER of Massachusetts. I yield to the gentleman from Pennsylvania 10 minutes.

Mr. PALMER. That is more than I shall require.

Mr. GARDNER of Massachusetts. Then I yield to the gentleman from Pennsylvania five minutes.

Mr. PALMER. Mr. Speaker, I rose a few minutes ago to ask the gentleman from Alabama about the very matter which the gentleman from Massachusetts [Mr. GARDNER] has now called to the attention of the House. I am in favor of the motion of the gentleman from Massachusetts [Mr. GARDNER], not because I believe it improper to have an investigation of the charges against the honor of a Member of the House, but because I am convinced, from a reading of the resolution, that it covers a vast multitude of subjects which we ought not to go into in an investigation of this sort. I listened carefully to the reading of the resolution and, in fact, took down the exact language of that part of it which describes the investigation which this committee shall undertake. That language is that the committee shall investigate—

all matters of controversy or complaint between the Members in question that led to the above statements and accusations.

It is very well to investigate the making of these statements or accusations upon the floor and the effect of them upon the honor of a Member, but to investigate all the matters in controversy between these parties that led to this unfortunate situation would mean that this committee would be engaged in the investigation of the entire questions covered by the proposed reorganization of the Army as outlined in the Army appropriation bill. And while I think the investigation ought to be made, I am strongly of the opinion that some committee of the House should redraft this resolution, so that the efforts of the committee may be confined strictly to what the gentleman from Alabama [Mr. HOBSON] really desires.

Mr. GARDNER of Massachusetts. I yield to the gentleman from Alabama [Mr. HOBSON] two minutes.

Mr. HOBSON. Mr. Speaker, I wish to say to the gentleman from Pennsylvania that I think his misgivings about the scope of the resolution are not well founded. The reason why it was drafted in the way it was is that it may require the sending for certain papers. It may require the summoning of certain individuals. I do not think the gentleman's fears would be realized. I have no intention to open up what was not intended in the drawing of the resolution.

Mr. PALMER. I believe that, but, unfortunately, the language of the resolution does it. Why not let it go to a committee, where it can be redrafted, so that the purpose of the gentleman from Alabama may be properly expressed in the resolution and carried out in the investigation which follows?

Mr. HARDWICK. Mr. Speaker, I raise the point of order that this resolution presented to the House is not a matter of privilege at all, for the reason that it embraces nonprivileged matter together with privileged matter, and that the nonprivileged matter destroys the privileged character of the entire resolution.

Mr. OLMSTED. It is too late to raise that question.

The SPEAKER. But the gentleman from Massachusetts has moved to refer the resolution to the Committee on Rules.

Mr. HARDWICK. But the question of order ought to be first decided.

The SPEAKER. The Chair will hear the gentleman.

Mr. HARDWICK. The resolution, as I understand it—

Mr. MANN. Mr. Speaker, I make the point of order—

Mr. OLMSTED. I make the point of order that the point of order of the gentleman from Georgia comes too late.

Mr. HARDWICK. Mr. Speaker, I made the point of order at the beginning of these remarks, and I insist on it, and I want to be heard on it now.

The SPEAKER. What is the point of order made by the gentleman from Pennsylvania?

Mr. OLMSTED. Mr. Speaker, I make the point of order that the point of order now made by the gentleman from Georgia [Mr. HARDWICK] comes too late, the resolution having been discussed for a very considerable time, and a motion to refer it to the Committee on Rules having been made.

The SPEAKER. The Chair thinks that the motion to refer it without the point of order having been raised—

Mr. HARDWICK. Mr. Speaker, I raised the point of order while standing over there.

The SPEAKER. The Chair did not hear the gentleman.

Mr. HARDWICK. Mr. Speaker, I tried to raise the point of order when the objection made by the gentleman from New Jersey [Mr. HUGHES] was withdrawn. The Speaker did not rule upon it then. I did not intend to waive it.

The SPEAKER. The Chair thinks that the point of order made by the gentleman from Georgia comes too late. The gentleman from Massachusetts has the floor.

Mr. GARDNER of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, in the course of the debate on the Army appropriation bill the gentleman from Alabama [Mr. HOBSON] made what might be termed charges against the gentleman from Virginia [Mr. HAY], in charge of the bill, involving the procedure of the construction of the Army appropriation bill, and particularly of its legislative features. There had been previously granted in the House to Members speaking on the bill the right to extend their remarks in the RECORD. The gentleman from Alabama [Mr. HOBSON] offered a motion on the floor, which was declared out of order by the Chairman of the Committee of the Whole House. Thereupon the gentleman from Alabama [Mr. HOBSON], claiming, I suppose, authority under leave to extend his remarks in the RECORD, which was granted by the House, after he had been denied by the Chair the right to speak on the question against a point of order, inserted at that place in the RECORD remarks which reflected upon the gentleman from New York [Mr. FITZGERALD] and the gentleman from Virginia [Mr. HAY]. Those facts need no investigation. The gentleman from Alabama [Mr. HOBSON], in my opinion—and I have the same opinion now that I would have after any investigation of the subject, because I have possession of all of the facts, as has every other Member—in inserting under leave to print remarks in the RECORD which reflected upon fellow Members of the House went too far; and when I read the remarks I thought they should be expunged from the RECORD.

The gentleman from New York [Mr. FITZGERALD] and the gentleman from Virginia [Mr. HAY], referring later to those remarks, spoke of them as having been inserted covertly. There is no controversy about those facts. There can be no controversy about the facts. Those facts are all a part of the record of the proceedings of the House. They require no investigation, unless the gentleman desires to have investigated the question of whether the House ought to strike his remarks from the RECORD. [Applause on the Democratic side.] But in the gentleman's resolution, however, there is carried authority to investigate the manner of making up the Army appropriation bill. I am not willing, unless more serious charges, with more evidence, are presented to the House, to have a special committee appointed to investigate the method of procedure of a regular committee making up a regular bill for the consideration of the House. [Applause on the Democratic side.] If there are facts which ought to be disclosed to the House, those facts can be offered on the floor of the House; and if those facts should warrant an investigation of the gentleman from Virginia [Mr. HAY] or the Committee on Military Affairs, it is time enough then to investigate them.

So far as the political side of the question is concerned, I am always willing to help divisions in the ranks of the enemy and to promote quarrels upon the Democratic side of the House; but when it comes to preserving the integrity of the proceedings of the House itself and upholding and maintaining the rights of the regular committees of the House, I am unwilling to interject petty and partisan politics into the consideration of the subject. [Applause on the Democratic side.] Before a resolution of that sort is passed by the House I think it ought to be considered by one of the standing committees of the House, to determine whether there is any occasion for an investigation at all; and if so, what the lines of the investigation ought to be. [Applause.]

Mr. GARDNER of Massachusetts. Mr. Chairman, I yield two minutes to the gentleman from Wisconsin [Mr. BERGER].

Mr. BERGER. Mr. Speaker, I just want to say that I am surprised to hear that the gentleman from Alabama demands a court-martial. Mr. Speaker, all Members of this House belong

to a civil, not a military body; they are representatives of the people. This House is not a part of the standing Army, and as Members of the House we have no separate code of honor. [Laughter.] This is not Germany nor Japan nor Italy, and we are not going to fight any duels, not even French duels, where no one gets hurt. I fully agree with everything what the leader of the Republican minority has said. The gentleman from Alabama started the trouble himself by what he inserted in the Record. He was the attacking party. This is not a matter for the House to consider after the regular committee has considered it. We can not make any separate rules for anybody, not even the hero of the Merrimac. [Laughter and applause.]

Mr. GARDNER of Massachusetts. Mr. Speaker, I move the previous question.

Mr. SHERLEY. Before the gentleman moves the previous question, I would like to make a statement.

Mr. GARDNER of Massachusetts. How much time does the gentleman want?

Mr. SHERLEY. Not over five minutes.

Mr. GARDNER of Massachusetts. I yield to the gentleman from Kentucky five minutes.

Mr. HOBSON. And before the gentleman moves the previous question, I would like five minutes.

Mr. SHERLEY. Mr. Speaker, it is never a pleasant thing to say anything that touches the personal relationship of Members on the floor. I realize that all the Members here have a feeling of noninterference because of that sense, and yet it seems to me that there is a matter larger and beyond the question of the quarrel of the gentleman from Alabama with the gentleman from Virginia and the gentleman from New York.

Whatever the merits of their controversy may be will be disclosed to each man according to his own judgment by the reading of the CONGRESSIONAL RECORD. Every fact is there contained, and to ask of this House the appointment of a special committee or to send to the Committee on Rules, or any other committee, the resolution of the gentleman from Alabama to determine whether or not he is entitled to the appellation of being a coward seems to me totally to disregard the real functions of the House and to give a magnitude to a personal quarrel out of all proportion to the facts in the case.

I can not see what there is that a committee could investigate. There are no facts in dispute. If we undertake to correct what newspapers may say on misinformation, we have an endless field, but so far as the record stands every statement that is in any sense material appears in that record. To my mind it is simply asking that the Members of this House shall be taken from their proper duties of serving the public in order to determine a matter that is purely personal between these gentlemen.

Mr. CULLOP. Will the gentleman from Kentucky yield?

Mr. SHERLEY. Certainly.

Mr. CULLOP. If the committee was appointed under this resolution would not all that it could investigate and report upon be as to whether or not the gentleman from Alabama had a right to insert in the Record remarks which were ruled out of order by the Chair when he attempted to speak them at the time on the floor?

Mr. SHERLEY. It seems to me that that would be very largely the scope. This is true, as suggested by the gentleman from Illinois [Mr. MANN], if it be the purpose of this resolution to investigate matters other than those that appear in the remarks of the three gentlemen named, then there ought to be a proper foundation laid for it by proper allegations and charges; the quarrel of these three gentlemen should not be made the basis for the appointment of a committee to investigate other matters not connected with that quarrel. [Applause.] Mr. Speaker, if I have the opportunity, I shall move to lay the whole matter on the table.

Mr. GARDNER of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, I do not care to take up in any way the discussion of the merits of this case, but I wish to point out again that in substance, beyond controversy, the reputation and honor of a Member of the House have been assailed.

Now, such words as "false" appear in the Record, applied by one Member to another. The word "cowardice" was used on the floor of the House.

Mr. BUTLER. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. BUTLER. The gentleman can not and will not doubt my friendship for him. Does he, for one moment, imagine that anybody on this floor would believe that he is a coward? Does he not take this matter too seriously?

Mr. HOBSON. I will answer the gentleman. Mr. Speaker, I have a very simple philosophy, if the gentleman wants me to state it.

Mr. BUTLER. Yes; I do.

Mr. HOBSON. As I say, I have a very simple philosophy which makes this matter very important to me. I am trying to render the maximum of service in my day and generation. I try to stand on the truth and to follow the path of duty. I am conscious now of having shaped my conduct in connection with this bill according to that philosophy; but a man goes through this world in contact with his fellows, and if they are aware that his honor has been justly called in question and has been impugned, his usefulness is at an end. I must draw a dead line and assert my rights as a man.

A number of years ago the press of the country assailed me on many lines, and I do not say anything against the press in this connection, but I found it was necessary to draw the dead line, and when any article reflected on my character I put it in the hands of my attorneys. Now, then, as between man and man I have not had any unkind feelings for any Member of this House, and I have the highest opinion of them, and I will take legitimate thrusts at the hands of Members of the House without complaining. I realized the exposure to attack of certain positions I occupied the other day in the line of duty, and I stood up and took the fire, but I submit that when one man uses the word "false" to another man, when one man calls another man a coward, it were better that the second man were dead than to have any such character prevail amongst his countrymen. [Applause.] It were better he were dead than to have his character impugned even before those who do not know him. My friend from Pennsylvania, I know he would not believe anything of the kind—

Mr. BUTLER. I would not believe the gentleman was a coward, it would not matter who said it. I do not think the gentleman is a coward; I know he is not, no matter who said it. No one will question his courage; the country approves it.

Mr. HOBSON. When those words are used a man crosses the dead line—

Mr. BUTLER. Oh, no; he does not.

Mr. HOBSON. I say to him—

The SPEAKER. The time of the gentleman has expired.

Mr. HOBSON. I ask for one more minute. I do not apply it in this case, but as an illustration, there can arrive a time when two men can not live in the same world under certain conditions. I do not ask to be justified in that statement. The gentleman from Pennsylvania has asked me a personal question and I am glad to answer him. I hate to put it upon a personal basis and I regret that the dead line has been crossed—

Mr. BUTLER. I can not agree with the gentleman.

Mr. HOBSON. And I think that I am entitled to a court-martial—that if I have done any man here wrong in his character I want to know it, and I will make abject apology. If the gentleman from Virginia has called me a coward on the floor, even though he removed it from the Record, I am entitled to an apology from him. [Applause.] Or else I am entitled to stand at the bar of my colleagues and ask him to prove it and specify the charges. [Applause.] The gentleman from Illinois—

The SPEAKER. The time of the gentleman has again expired.

Mr. SHERLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. Is a motion to lie on the table now in order?

Mr. GARDNER of Massachusetts. Not until my time has expired. [Laughter.]

The SPEAKER. A motion to lie on the table would have been in order and preferential before the motion to refer, but the motion to refer has been before the House and debated, and it is now before the House.

Mr. GARDNER of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, I agree with the gentleman from Pennsylvania [Mr. BUTLER] when he makes the suggestion that the gentleman from Alabama is taking this matter rather too seriously. I also agree with the gentleman from Pennsylvania that there is no man upon this floor who really believes the gentleman from Alabama is a coward or that he would make an intentional false statement on this floor or elsewhere about anything.

Mr. HOBSON. If the gentleman from Virginia will say that, this thing is over.

Mr. POU. In the heat of debate—

Mr. HOBSON. I suggest that the gentleman address his remarks to the gentleman from Virginia.

Mr. POU. No; I have a word I wish to say to the House. In the heat of debate a great many things are said which are not intended to be taken exactly as spoken. If we are to have an investigation every time one gentleman on this floor arises and says some other gentleman has made a statement

that is not true we will not do anything but investigate charges of that kind. Now, the gentleman from Alabama can have, I imagine, all the time he desires to make any statement he wishes to make about this matter under the personal-privilege rule of the House, and it would seem to me that having availed himself of that privilege he has all opportunity to justify himself before the country and his colleagues in this Chamber. I would not think my distinguished friend from Alabama would care to pursue the matter further. I venture to repeat that no man in this Chamber, or in this Nation for that matter, believes the gentleman from Alabama to be a coward or that he would ever make a statement he did not believe to be true. But, Mr. Speaker, are we to have an investigation every time one gentleman challenges a statement made by another gentleman? I do not believe the House will establish any such precedent. Therefore, I am opposed to this resolution. I am opposed to its reference to the Committee on Rules; I am opposed to appointing a special committee to investigate charges between Members every time something unpleasant occurs in debate here. We have no right to spend the people's money for any such purpose, and I hope this House will vote down the resolution and the motion to refer to the Committee on Rules. [Applause.]

Mr. GARDNER of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. PICKETT].

Mr. PICKETT. Mr. Speaker, I am in accord with the motion made by the gentleman from Massachusetts [Mr. GARDNER], because I believe that the resolution as now presented is too wide in its scope. There is one question of fact which ought to be reported to this House so that it will be a part of the record when the Members pass on the ultimate question that will be submitted. That question is, How much of the remarks, wherein the gentleman from Alabama [Mr. HOBSON] referred to the gentleman from New York [Mr. FITZGERALD] and to the gentleman from Virginia [Mr. HAY], and which prompted their observations on the succeeding day, were, as a matter of fact, delivered upon the floor of this House? That raises a question that should be settled by this House, and that is, Mr. Speaker, the extent to which any Member of this body, in availing himself of the privilege of inserting remarks in the RECORD, can refer to other Members, and especially in a manner that might reflect upon them in any position taken before this House. I for one would like to have a report on that question submitted to this body. I have decided views as to the extent the privilege should go of inserting in the RECORD remarks that should only be made in the presence of those to whom they are directed and when they can hear them and have an opportunity to reply.

I agree with the distinguished leader of the minority that this is a matter which lifts itself above the confines of partisanship, and that it should be so treated. I hope that when we come to its ultimate decision we will decide it in such a way that it will be a precedent for the future conduct of debate, and the use, or, rather, the abuse, of the privilege of inserting or extending remarks in the RECORD. [Applause.]

Mr. GARDNER of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. HAY]. [Applause.]

Mr. HAY. Mr. Speaker, I desire to say that on Saturday last, under the stress and strain of the action of the gentleman from Alabama, which I thought was uncalled for, to say the least of it, on his part, I did use the word "cowardly" as applied to him, on the floor of the House. But I want to say further that I never believed that the gentleman was a coward. [Applause.] And to prove that, I did not permit that word to go in the RECORD. If I had thought that he was a coward, I would have permitted the word to stay in the RECORD. I want to say further, that while I must continue to assert that what the gentleman said about certain things in the preparation of the Army bill were not true, yet I do not believe for a moment that the gentleman intentionally stated what he believed to be untrue. [Applause.] I believe that the gentleman, when he made such a statement, was misled, and that when he stated it he himself believed it to be true. [Applause.]

And that is all I care to say. [Loud applause.]

Mr. HOBSON. Will the gentleman from Massachusetts [Mr. GARDNER] yield to me two minutes?

Mr. GARDNER of Massachusetts. I yield two minutes to the gentleman from Alabama.

Mr. HOBSON. Mr. Speaker, I wish to say that the statement of the gentleman from Virginia is manly, and it is generous, and it shows the same high type of character that I have always believed him to possess. [Applause.] I will make a request for unanimous consent, following my request to withdraw my resolution, as far as it pertains to the gentleman from Virginia, and ask that my remarks introduced in the RECORD, about which he took exception, and which pertain to him personally, and

which I introduced solely because I felt that remarks of his had been personal and had not been removed from the RECORD of the previous day, be removed from the RECORD.

Now, Mr. Speaker, I desire to withdraw my resolution. [Applause.]

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] withdraws his resolution.

Mr. GARDNER of Massachusetts. Mr. Speaker, the question before the House is still the resolution offered by the gentleman from Alabama [Mr. HOBSON].

Mr. Speaker, the reason why I injected myself into this situation at all was not with any idea of stirring up strife. Every Member who has served in the House for a long time knows that on several occasions when there has been unparliamentary language on the floor of this House I have taken it up and have insisted on the House taking some action in order to put a stop to that kind of a thing. In the last 10 years, since I have been here, I have seen this House grow from bad to worse in the matter of unparliamentary language. If when men ask for their day in court it is not accorded to them, then they will take their day out of court; and it was that precisely, both to stop that sort of thing and—

Mr. BLACKMON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLACKMON. What is before the House?

The SPEAKER. Nothing. [Laughter.]

Mr. GARDNER of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARDNER of Massachusetts. Under the rules of the House, I was aware that a motion might be withdrawn until a secondary motion had been made. Does the Chair rule that there is no question before the House?

The SPEAKER. The Chair rules that when Capt. HOBSON withdrew his resolution, which he had a perfect right to do, there was not anything left before the House to refer, and therefore that the motion of the gentleman from Massachusetts falls to the ground. [Applause.]

Mr. BLACKMON. Mr. Speaker, I demand the regular order.

The SPEAKER. This being Calendar Wednesday, the call rests with the Committee on Military Affairs.

Mr. HAY. Mr. Speaker, I yield to the gentleman from Alabama [Mr. DENT], a member of the committee.

PERMANENT MANEUVERING GROUNDS.

Mr. DENT. Mr. Speaker, by direction of the Committee on Military Affairs, I desire to call up House joint resolution No. 178.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 178) creating a commission to investigate and report on the advisability of the establishment of a permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the city of Anniston, county of Calhoun, State of Alabama, and to likewise report as to certain lands in and around the city of Anniston, county of Calhoun, State of Alabama, proposed to be donated to the United States for said purposes.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that this bill be considered by the House as in Committee of the Whole.

Mr. MANN. I do not think that should be done.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the House automatically goes into the Committee of the Whole House on the state of the Union. The gentleman from New York [Mr. SULZER] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. SULZER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 178) creating a commission to investigate and report on the advisability of the establishment of a permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the city of Anniston, county of Calhoun, State of Alabama, and to likewise report as to certain lands in and around the city of Anniston, county of Calhoun, State of Alabama, proposed to be donated to the United States for said purposes.

Resolved, etc., That the President of the United States be, and he is hereby, authorized and directed to appoint a commission consisting of five officers of the Army of the United States to make a full and complete investigation and consider carefully whether or not it is advisable to make, establish, and maintain a maneuvering ground and camp of inspection, rifle and artillery ranges for United States troops at or near the city of Anniston, county of Calhoun, State of Alabama. Said commission shall fully consider the advantages and disadvantages of the lands contiguous to or near the city of Anniston, Ala., for the purpose herein stated, and report fully as to probable number of acres of land necessary to purchase and the probable cost of the same, and as to all facts and conditions material to be considered in the premises. The

report shall be filed in the War Department by March 1, 1912, and communicated to Congress as soon as practicable by the President.

Sec. 2. That said board or commission shall also examine carefully all lands in and around the city of Anniston, Ala., that may be proposed to be donated to the United States for the establishment and maintenance thereon of a maneuvering encampment and rifle and artillery ranges for the assembling of troops from the group of States composed of Tennessee, Kentucky, Mississippi, Alabama, Georgia, Florida, North Carolina, and South Carolina and report on the advisability of establishing such camps, rifle and artillery ranges on such lands proposed to be donated, and whether the lands proposed to be donated are suited and desirable for such purposes, and how much land would be properly required for said purposes, and whether the lands proposed to be donated are sufficient in quantity for the purpose proposed and conveniently located for use by troops from said States, and the facilities for transportation of troops and supplies to and from said lands, and such other facts as may be material to be considered in the premises.

Sec. 3. That the said board or commission shall serve without compensation, but shall be paid actual necessary expenses.

Mr. DENT. Mr. Chairman, this resolution creates a commission to investigate and report upon the advisability of the establishment of permanent maneuvering grounds and a camp of inspection, rifle, and artillery range, for the troops of the United States at or near Anniston Ala. This resolution comes to the House with a unanimous report from the Committee on Military Affairs. It does not require the expenditure of a single dollar out of the Treasury that has not already been appropriated, or will be appropriated, in accordance with law. It is similar to the resolution that passed Congress and, I believe, was approved on the 24th day of February, 1911, to investigate the advisability of establishing a similar camp at Tullahoma, Tenn.

Now, Mr. Chairman, unless some gentlemen desire to address the committee on this resolution, I will move that the committee rise and make a favorable report.

The CHAIRMAN. Are there any amendments?

Mr. DENT. Yes. I yield to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. I wish, Mr. Chairman, to move an amendment at the proper time.

Mr. DENT. I yield to the gentleman from Connecticut.

Mr. MANN. The gentleman can not yield for that purpose.

Mr. TILSON. I do not understand that the debate has closed, otherwise I would be glad to move an amendment.

Mr. DENT. Can I get an agreement as to general debate?

Mr. MANN. I do not think general debate will last long, but I can not make any agreement about it.

Mr. DENT. I did not understand what the gentleman from Illinois said.

Mr. MANN. I was just waiting to see how the gentleman would proceed.

Mr. DENT. I move, Mr. Chairman, that the committee rise and report the resolution favorably to the House.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise.

Mr. DENT. And report the bill favorably to the House.

The CHAIRMAN. That motion is not in order.

Mr. DENT. Then I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SULZER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 178 and had come to no resolution thereon.

The SPEAKER. Has any gentleman any motion to make or any request to prefer?

Mr. DENT. Mr. Speaker, I move—

Mr. MANN. I move that the House do now adjourn, as there is no business before the House.

Mr. DENT. Mr. Speaker, I believe I have the floor.

The SPEAKER. The gentleman from Alabama has the floor.

Mr. DENT. I move that the House again resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House joint resolution 178, and, pending that motion, I ask unanimous consent that debate be limited to 30 minutes.

Mr. MANN. Mr. Speaker, I make the point of order that that motion is not in order.

The SPEAKER. The gentleman submits a request for unanimous consent.

Mr. MANN. I make the point of order that the motion that the House resolve itself into the Committee of the Whole House on the state of the Union is not in order.

The SPEAKER. The gentleman bases his suggestion on the fact that the House automatically goes into Committee of the Whole House on the state of the Union, and the gentleman is correct about that. But the gentleman from Alabama [Mr. DENT] asks unanimous consent that when the House resolve

itself automatically into the Committee of the Whole House on the state of the Union for the further consideration of this joint resolution general debate be limited to 30 minutes. Is there objection?

Mr. DENT. Mr. Speaker, I want to amend that by saying, one half of the time to be controlled by the gentleman from Illinois [Mr. MANN] and the other half by me.

The SPEAKER. One half to be controlled by the gentleman from Alabama [Mr. DENT] and the other half by the gentleman from Illinois [Mr. MANN].

Mr. MANN. Reserving the right to object, Mr. Speaker, I will say that I have no intention of consuming much time, but in view of the fact that the gentleman has endeavored to take advantage of this side of the House in this way, I shall object.

The SPEAKER. Is the gentleman objecting?

Mr. MANN. I do object.

Mr. DENT. May I ask the gentleman how much time he wants?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

The House resolves itself automatically into the Committee of the Whole House on the state of the Union—

Mr. DENT. Mr. Speaker, as the gentleman from Illinois objects, I move that general debate close in 30 minutes, one-half the time to be controlled by the gentleman from Illinois and one-half by myself.

Mr. SULZER. Mr. Speaker, pending that—

The SPEAKER. The Chair will state the motion. The gentleman from Alabama moves that pending the House resolving itself automatically into the Committee of the Whole House on the state of the Union general debate be limited to 30 minutes.

The question being taken on the motion, the Speaker announced that the "ayes" appeared to have it.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SULZER. Mr. Speaker, pending that I should like to ask the gentleman from Illinois how much time he desires?

Mr. MANN. Oh, Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors; the Sergeant at Arms will notify absentees. Those in favor of limiting general debate to 30 minutes will answer aye, those opposed no, and the Clerk will call the roll.

The question was taken, and there were—yeas 166, nays 86, answered "present" 10, not voting 131, as follows:

YEAS—166.

Adair	Dixon, Ind.	Holland	Post
Adamson	Donohoe	Houston	Rainey
Alexander	Doughton	Hughes, N. J.	Raker
Anderson, Ohio	Dupre	Hull	Ransdell, La.
Ansberry	Dyer	Humphreys, Miss.	Rauch
Ashbrook	Edwards	Jacoway	Redfield
Bartlett	Ellerbe	James	Reilly
Bathrick	Evans	Johnson, Ky.	Richardson
Beall, Tex.	Falson	Johnson, S. C.	Roberts, Nev.
Bell, Ga.	Farr	Jones	Roddenbery
Berger	Fergusson	Kitchin	Rothermel
Blackmon	Ferris	Konig	Rubey
Booher	Finley	Konop	Rucker, Colo.
Bowman	Fitzgerald	Lamb	Rucker, Mo.
Bradley	Flood, Va.	Lee, Pa.	Russell
Brantley	Floyd, Ark.	Legare	Shackleford
Broussard	Fornes	Lever	Sherwood
Brown	Foster, Ill.	Levy	Sims
Buchanan	Fowler	Linthicum	Smith, N. Y.
Burleson	Gallagher	Littlepage	Smith, Tex.
Burnett	Garner	Lloyd	Stedman
Byrnes, S. C.	Garrett	Lobeck	Stephens, Miss.
Byrns, Tenn.	Goeke	McCoy	Stephens, Nebr.
Callaway	Goodwin, Ark.	McDermott	Stephens, Tex.
Candler	Gray	McGillicuddy	Stone
Clark, Fla.	Gregg, Pa.	McKellar	Sulzer
Claypool	Gregg, Tex.	Madden	Taggart
Clayton	Gudger	Maguire, Nebr.	Taylor, Colo.
Collier	Hamill	Martin, Colo.	Thayer
CConnell	Hamilton, W. Va.	Moon, Tenn.	Thistlewood
Conry	Hamlin	Moore, Pa.	Tribble
Cox, Ind.	Hammond	Moore, Tex.	Turnbull
Cullop	Hardwick	Morrison	Underhill
Curley	Harrison, Miss.	Moss, Ind.	Underwood
Daugherty	Harrison, N. Y.	Murdock	Watkins
Davenport	Hay	Neeley	White
Davis, W. Va.	Hayden	Padgett	Wickliffe
Dent	Heflin	Page	Wilson, N. Y.
Denver	Helm	Palmer	Wilson, Pa.
Dickinson	Henry, Tex.	Patten, N. Y.	Young, Tex.
Dickson, Miss.	Hensley	Pepper	
Dies	Hobson	Peters	

NAYS—86.

Ainey	Burke, S. Dak.	Crago	Draper
Ames	Butler	Crumpacker	Driscoll, M. E.
Anderson, Minn.	Calder	Curry	Esch
Barchfeld	Campbell	Dalzell	Foss
Bartholdt	Catlin	Davis, Minn.	French
Bingham	Cooper	De Forest	Fuller

Gardner, Mass.	Kinkaid, Nebr.	Morse, Wis.	Stephens, Cal.
Gillett	Kopp	Nelson	Sterling
Good	La Follette	Norris	Stevens, Minn.
Griest	Langham	Nye	Sulloway
Guernsey	Lenroot	Olmsted	Taylor, Ohio
Hamilton, Mich.	Lindbergh	Patton, Pa.	Volstead
Hayes	Loud	Pickett	Warburton
Heald	McCreary	Prouty	Wedemeyer
Holgesen	McGuire, Okla.	Rees	Wildor
Henry, Conn.	McKenzie	Reyburn	Willis
Hill	McKinney	Rodenberg	Wilson, Ill.
Hinds	McMorran	Simmons	Wood, N. J.
Howell	Mann	Sloan	Woods, Iowa
Jackson	Martin, S. Dak.	Smith, J. M. C.	Young, Kans.
Kendall	Mondell	Speer	
Kennedy	Morgan	Steenerson	

ANSWERED "PRESENT"—10.

Akin, N. Y.	Bulkley	Powers	Tilson
Andrus	Godwin, N. C.	Sherley	
Bates	Langley	Talbot, Md.	

NOT VOTING—131.

Alken, S. C.	Focht	Lawrence	Robinson
Allen	Fordney	Lee, Ga.	Rouse
Anthony	Foster, Vt.	Lewis	Sabath
Austin	Francis	Lindsay	Saunders
Ayres	Gardner, N. J.	Littleton	Scully
Barnhart	George	Longworth	Sells
Boehne	Glass	McCall	Sharp
Borland	Goldfogle	McHenry	Sheppard
Browning	Gould	McKinley	Sisson
Burgess	Graham	McLaughlin	Slayden
Burke, Pa.	Green, Iowa	Macon	Slemp
Burke, Wis.	Greene, Mass.	Maher	Small
Cannon	Hanna	Malby	Smith, Saml. W.
Cantrill	Hardy	Matthews	Smith, Cal.
Carlin	Harris	Mays	Sparkman
Carter	Hartman	Miller	Stack
Cary	Haugen	Moon, Pa.	Stanley
Cline	Hawley	Mott	Sweet
Copley	Higgins	Murray	Switzer
Covington	Howard	Needham	Talcott, N. Y.
Cox, Ohio	Howland	Oldfield	Taylor, Ala.
Cravens	Hubbard	O'Shaunessy	Thomas
Currier	Hughes, Ga.	Parran	Towner
Danforth	Hughes, W. Va.	Payne	Townsend
Davidson	Humphrey, Wash.	Plumley	Tuttle
Difenderfer	Kahn	Porter	Utter
Dodds	Kent	Pou	Vreeland
Doremus	Kindred	Pray	Webb
Driscoll, D. A.	Kinkaid, N. J.	Prince	Weeks
Dwight	Knowland	Pujo	Whitacre
Estopinal	Korbly	Randell, Tex.	Witherspoon
Fairchild	Lafean	Riordan	Young, Mich.
Fields	Lafferty	Roberts, Mass.	

So the motion was agreed to.

The following additional pairs were announced:
For the session:

Mr. GLASS with Mr. SLEMP.
Mr. TOWNSEND with Mr. FOCHT.
Mr. TUTTLE with Mr. NEEDHAM.
Mr. WEBB with Mr. YOUNG of Michigan.
Mr. TAYLOR of Alabama with Mr. LAFFERTY.
Mr. TALCOTT of New York with Mr. TOWNER.
Mr. SWEET with Mr. PRAY.
Mr. STANLEY with Mr. PAYNE.
Mr. STACK with Mr. PORTER.
Mr. SPARKMAN with Mr. DAVIDSON.
Mr. SMALL with Mr. MOTT.
Mr. ROUSE with Mr. MOON of Pennsylvania.
Mr. RANDALL of Texas with Mr. MILLER.
Mr. PUJO with Mr. MCKINLEY.
Mr. POU with Mr. MCCALL.
Mr. O'SHAUNESSY with Mr. LONGWORTH.
Mr. MURRAY with Mr. LAWRENCE.
Mr. MAHER with Mr. KAHN.
Mr. MCHENRY with Mr. HOWLAND.
Mr. LITTLETON with Mr. DWIGHT.
Mr. SCULLY with Mr. HIGGINS.
Mr. KORBLY with Mr. HAWLEY.
Mr. HOWARD with Mr. HAUGEN.
Mr. HARDY with Mr. HARTMAN.
Mr. GOULD with Mr. HARRIS.
Mr. GOLDFOGLE with Mr. HANNA.
Mr. DANIEL A. DRISCOLL with Mr. GREENE of Massachusetts.
Mr. DOREMUS with Mr. GREEN of Iowa.
Mr. DIFENDERFER with Mr. GARDNER of New Jersey.
Mr. COVINGTON with Mr. FOSTER of Vermont.
Mr. CLINE with Mr. CURRIER.
Mr. CARLIN with Mr. CANNON.
Mr. BURGESS with Mr. WEEKS.
Mr. BOEHNE with Mr. HUMPHREY of Washington.
Mr. BARNHART with Mr. BROWNING.
Mr. SHEPPARD with Mr. BATES.

The result of the vote was then announced as above recorded.
The SPEAKER. A quorum is present, the Doorkeeper will open the doors, and the House, under the rule, will resolve itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of House joint resolution 178, with Mr. SULZER in the chair.

Mr. MANN. Mr. Chairman, this resolution provides for the appointment of a commission consisting of five officers of the Army to make a full and complete investigation, to consider and report whether it is feasible to establish and maintain maneuver grounds and a camp of inspection near the city of Anniston, Ala.

Mr. DENT. Mr. Chairman, I believe, under the motion that was voted upon by the House, I have control of one half of the time and the gentleman from Illinois [Mr. MANN] the other half.

The CHAIRMAN. The Chair understands that that motion was not put in the House, and hence it is not in order in Committee of the Whole. The gentleman from Illinois has the floor.

Mr. DENT. I thought that was a part of the motion that was voted upon.

Mr. RICHARDSON. Mr. Chairman, the House went into Committee of the Whole House on the condition that debate should be limited to 30 minutes, and that one half should be controlled by the gentleman from Alabama [Mr. DENT] and the other half by the gentleman from Illinois [Mr. MANN], and that was voted upon and passed.

The CHAIRMAN. The parliamentary clerk informs the Chair that the House ordered that general debate be limited to 30 minutes. The Chair recognizes the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I shall not attempt to do what I understood gentlemen on the other side to attempt to do, namely, take advantage in general debate. I therefore yield 15 minutes of my time to the gentleman from Alabama [Mr. DENT], and I hope that he will occupy it now.

Mr. DENT. Mr. Chairman, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, this is a unanimous report of the Committee on Military Affairs, and the resolution provides for the inspection by a board of Army officers of a maneuver ground in Alabama. It is my intention at the proper time to move an amendment changing the time at which this commission shall report. The resolution at present provides that it shall report on March 1, and I shall move to amend it my making it May 1.

As to the merits of the proposition, there can be no question as to the fact that the United States is in need of maneuver grounds for the training of troops. In the northern part of the State of New York, at Pine Plains, we have already a great reservation, where troops can be maneuvered in large bodies. There is such a reservation in Texas, near San Antonio. There are reservations in the West, one particularly that I recall, in Kansas.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. HAMILTON of Michigan. How large an area is required for maneuver grounds?

Mr. TILSON. For proper maneuvers, the way they are conducted now, less than 20,000 acres would be inadequate. I do not mean that it would be necessary for the Government to own the entire 20,000 acres. It will need to own a much smaller tract for camp sites, target ranges, and the like, but it should have permission to operate over at least 20,000 acres, if any considerable number of troops are employed.

Mr. HAMILTON of Michigan. I suppose land would be selected that would not be particularly valuable for agricultural purposes, would it not?

Mr. TILSON. Usually so.

Mr. HAMILTON of Michigan. But the price of it would be probably about the price of agricultural land, would it not?

Mr. TILSON. As to whether it was a desirable piece of land for agricultural purposes or maneuver purposes, and as to whether the price was satisfactory, are questions that would be determined after an investigation by a board of officers.

Mr. HAMILTON of Michigan. Does the gentleman know about the price of land in the vicinity where it is proposed to buy this land?

Mr. TILSON. I do not know, but it is the purpose of this resolution that a competent board shall find out. The Member on the floor of the House who represents the district in which the land is situated can undoubtedly give the gentleman more detailed information on the subject than I can give.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. MICHAEL E. DRISCOLL. The report indicates that the owners of about 4,000 acres of this land are prepared to donate that much land to the Government.

Mr. TILSON. That is the understanding.

Mr. MICHAEL E. DRISCOLL. Will the gentleman state what motive these men have in donating this land?

Mr. TILSON. The gentleman will have to excuse me from attempting to state the motives of men whom I never met and of whom I have no knowledge.

Mr. MICHAEL E. DRISCOLL. Will the gentleman state whether the men who are willing to donate the 4,000 acres are the owners of the other sixteen thousand or twenty-five thousand acres of land which it is proposed to sell to the Government.

Mr. TILSON. There is no such proposition, Mr. Chairman. It is not proposed to sell sixteen thousand or twenty thousand or any number of acres to the Government. Neither is it necessary for maneuvers, as I have just stated—

Mr. MICHAEL E. DRISCOLL. Did not the gentleman say that 20,000 acres was necessary for a complete maneuver ground down there?

Mr. TILSON. Yes; permission to maneuver over at least 20,000 acres would be necessary, but it is not necessary to own that amount. As a matter of fact, the Army has maneuvered in all parts of the country without owning such a large tract of land, simply leasing or otherwise securing permission to operate over a large area.

Mr. MICHAEL E. DRISCOLL. This report does not indicate what it would cost to lease land, but it does state what it would cost to buy land surrounding the 4,000 acres that are proposed to be donated.

Mr. TILSON. The object of this resolution is not to purchase land or to lease it, but to get information as to whether this would be a desirable place.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. DENT. Mr. Chairman, I yield to the gentleman from Connecticut.

Mr. MOORE of Pennsylvania. Mr. Chairman—

Mr. MICHAEL E. DRISCOLL. What I am trying to get at is the motive of the gentlemen who are willing to give these 4,000 acres.

The CHAIRMAN. How much time does the gentleman from Alabama yield to the gentleman from Connecticut?

Mr. TILSON. Three minutes.

Mr. DENT. I yield the gentleman that much time.

Mr. MICHAEL E. DRISCOLL. I am trying to find out the motive of these men who are willing to donate 4,000 acres when 20,000 acres are necessary.

Mr. TILSON. I hope the gentleman will pardon me if I decline to attempt to state the motives of men whom I have never met and concerning whom I know nothing.

Mr. MICHAEL E. DRISCOLL. How are these men going to get even on this transaction—the men who are going to give the 4,000 acres?

Mr. TILSON. Well, I shall leave it to them.

Mr. MICHAEL E. DRISCOLL. Beware of the Greeks.

Mr. HAMILTON of Michigan. Where lands are leased for maneuvering purposes, how long is the term, ordinarily, of the lease?

Mr. TILSON. Well, the term ordinarily is a very short term, simply covering the time of the maneuvers; and I wish to state to the gentleman—

Mr. HAMILTON of Michigan. I would suggest, then, if the militia or Army are maneuvering over grounds it would be impossible to produce crops of any kind.

Mr. TILSON. Not at all; they maneuver right over—

Mr. HAMILTON of Michigan. Over the crops?

Mr. TILSON. They do not necessarily go through the highly cultivated fields, such as orchards and gardens, but certainly over cultivated land.

Mr. GOOD. They go right down the corn rows.

Mr. YOUNG of Kansas. Does the gentleman believe it would be advisable to establish a maneuvering ground anywhere and depend upon the leasing of land for the purpose of maneuvering?

Mr. TILSON. Oh, it has worked very well.

Mr. YOUNG of Kansas. Is it not true that where the Government has owned land and they want to maneuver over adjoining property that they have succeeded at times in leasing some additional land; and I want to ask the gentleman whether he thinks it advisable to establish a maneuvering ground on less land than will be required at any time?

Mr. TILSON. Certainly I do. I think it is not only desirable but absolutely necessary. We can not all go to Kansas and maneuver over the large reservations there.

Mr. HAMILTON of Michigan. We might.

Mr. TILSON. Certainly we might, but it would be very expensive transporting troops. It would cost a large amount

of money, and it is much better to have maneuvering grounds in some centrally located place—

Mr. HAMILTON of Michigan. Where the stimulating climate of Kansas may exert its quickening influence on maneuvers.

Mr. TILSON. But Kansas is too far away—

Mr. YOUNG of Kansas. It is right in the center of the United States.

Mr. TILSON. Certainly it is, but the center is a long way off from the sides of the country. [Laughter.]

Mr. YOUNG of Kansas. Exactly.

Mr. HAMILTON of Michigan. The sides of the country are, then, to blame.

Mr. DENT. I will ask the gentlemen on the other side to use some of their time.

Mr. MANN. Well, I hope the gentleman will consume his time. I yielded to the gentleman, and I hope he will consume it, if he wishes to do so.

Mr. UNDERWOOD. Mr. Chairman, I think it is apparent to the gentleman from Illinois that the gentleman in charge of this bill is entitled to close debate.

Mr. MANN. The gentleman from Alabama does not quite understand the circumstances. I have the entire time of general debate, and I yielded to the gentleman from Alabama one-half of that time.

Mr. UNDERWOOD. But, as I understand, the gentleman from Illinois has entire control of the time because he was recognized by the Chairman instead of the gentleman in charge of the bill.

Mr. MANN. I was entitled to recognition.

Mr. UNDERWOOD. Why?

Mr. MANN. The gentleman from Alabama on the previous consideration of this bill in the Committee of the Whole had used his time and yielded the floor. He did not reserve his time, and he was not entitled to recognition when we went back into committee, although I generously yielded to him one-half of the time, the limited time which he himself had limited.

Mr. UNDERWOOD. Well, it seems to me—

Mr. MANN. Now, I think it is rather imposing upon generosity to make the request which the gentleman now makes.

Mr. DENT. I now yield five minutes to the gentleman from Alabama [Mr. BLACKMON].

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BROUSSARD having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CURTIS, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 11.

Resolved by the Senate (the House of Representatives concurring). That there be printed 10,000 additional copies of the message of the President of the United States transmitting the report of the Employers' Liability and Workmen's Compensation Commission, together with the hearings held before the commission, of which 2,500 copies shall be for the use of the Senate, 5,000 copies for the use of the House of Representatives, and 2,500 copies for the use of the Committee on the Judiciary of the Senate, and that there be printed as a Senate document, in one pamphlet, 25,000 copies of the message and report only, of which 5,000 copies shall be for the use of the Senate, 12,500 copies for the use of the House of Representatives, and 7,500 copies for the use of the Committee on the Judiciary of the Senate.

PERMANENT MANEUVERING GROUNDS.

The committee resumed its session.

Mr. DENT. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BLACKMON]. How much time have I left?

The CHAIRMAN. Seven minutes. The gentleman from Alabama [Mr. BLACKMON] is recognized for five minutes.

Mr. BLACKMON. Mr. Chairman, I rather think that some gentlemen are attempting to make a great deal out of what is not so important as they would have us believe. Here is a certain proposition. The War Department says that they need maneuvering ground in that group of States composed of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, and Kentucky. We are not proposing to sell any land to the Government, but I offer a proposition merely to have the proposition investigated in order to see if it is suitable for the purposes for which we are offering it. Now, that is all there is to that.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BLACKMON. I have only a few minutes.

Mr. MOORE of Pennsylvania. It was on the very point that the gentleman raised. I tried to get the gentleman from Connecticut [Mr. TILSON] to explain. This does not contemplate a deed in fee simple to the United States for the land to be used?

Mr. BLACKMON. It means this, that after this inspection, if it is feasible, then the Government would determine whether or not they wanted these lands. They might never want them.

Mr. MOORE of Pennsylvania. Very well. Now, that question being answered, I want to say to the gentleman that I think it is entirely commendable to have a maneuvering establishment as proposed if the War Department thinks it advisable, but I would like to ask whether it is contemplated by this bill to expend any money beyond the mere traveling expenses of the commission to be appointed?

Mr. BLACKMON. Not one dollar.

Mr. MOORE of Pennsylvania. Then the Army officers who shall constitute this commission will receive their pay in the regular way, and the only extra expense to them would be traveling expenses, and that is what the bill proposes to carry?

Mr. BLACKMON. That is all, absolutely.

Mr. HAMILTON of Michigan. Suppose this commission should ascertain that territory in your locality is good territory for maneuvering ground. Would the land then be sold to the Government?

Mr. BLACKMON. If the Government should ask to buy it, and they could agree with the owners, I suppose they would.

Mr. HAMILTON of Michigan. The purpose, then, is eventually to sell the land to the Government if it is found satisfactory?

Mr. BLACKMON. If the Government wants it and it is suitable.

Mr. KAHN. Will the gentleman yield?

Mr. BLACKMON. I will.

Mr. KAHN. I understand that the commission appointed by the War Department has already made a report upon a site in the State of Tennessee?

Mr. BLACKMON. Yes, sir.

Mr. KAHN. Now, all that you are asking under this resolution is to allow the War Department also to examine your site, with a view of having the Government take it over if it finds it is advantageous to do so?

Mr. BLACKMON. Absolutely; that is all.

Mr. MOORE of Pennsylvania. And to that extent it is only a tentative proposition?

Mr. BLACKMON. That is all.

Mr. MADDEN. The purpose of introducing this resolution is to give the Government an opportunity first to decide between the maneuvering ground in Tennessee and the maneuvering ground in Alabama?

Mr. BLACKMON. That is it.

Mr. YOUNG of Kansas. Will the gentleman yield?

Mr. BLACKMON. I will, but I have only a moment.

Mr. YOUNG of Kansas. Only one question.

Mr. BLACKMON. Yes.

Mr. YOUNG of Kansas. How many propositions are there pending now relative to these maneuvering grounds?

Mr. BLACKMON. Two—one in Tennessee and one in Alabama.

Mr. YOUNG of Kansas. How many more are likely to be brought in here?

Mr. BLACKMON. I will have to ask the gentleman to draw on his own fertile imagination. I can not answer that question for him.

Mr. YOUNG of Kansas. I simply want to say this, that if it is to be a general proposition, why not create a committee that will have the power to act when they think it is necessary?

Mr. BLACKMON. The gentleman from Kansas [Mr. YOUNG] objected to my calling this resolution up when it was on the Unanimous Consent Calendar, and I hope he will not interrupt me again, because I have only a few moments. I want to say that we are in the geographical center of this group of States that the War Department has designated as a certain group of States in which they want a maneuvering camp. We have three railroads. We are within an 11 or 12 hours' run of Pensacola and Jacksonville, Fla.; Mobile, Ala.; New Orleans; Norfolk; and Savannah, Ga. All this territory would be likely to contribute to the mobilization of troops, and it would cost very little to mobilize the troops at this particular point. If it were determined to mobilize the troops there, to be sent out for any purpose, it would be very inexpensive in the matter of railroad transportation, which the War Department regard as important.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. How much time does the gentleman require?

Mr. BLACKMON. I would like three minutes more.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Alabama three minutes. He has been interrupted so much.

Mr. BLACKMON. Mr. Chairman, I thank the gentleman from Illinois for the additional time he has given me.

Now, I want to say that I do not want to bore this committee with this proposition, but it is undoubtedly true that the War Department, by a regularly constituted committee, should have

the right to select the best proposition within this group of States.

Now, if my proposition is not the best, I shall undoubtedly support the recommendations of the War Department. If it be Tennessee, Kentucky, or wherever else it may be, I will follow the recommendations of this board and of the War Department.

Now, that is what I am asking—an official board to examine these lands and determine whether or not my proposition is feasible. If it is not, then I assume that this board or commission will do its duty. If it is not suitable, I assume they will say so. I hope very much that this resolution will pass.

Mr. Chairman, I yield back the balance of my time to the gentleman from Illinois. [Applause.]

Mr. DENT. Mr. Chairman, I thought I had two minutes, and I want to yield it back to the gentleman from Illinois.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] yields back to the gentleman from Illinois [Mr. MANN] two minutes.

Mr. MANN. Mr. Chairman, how much time have I remaining? The CHAIRMAN. Fifteen minutes.

Mr. MANN. Mr. Chairman, if this were a proposition to appoint a commission of the Army to investigate, first, as to the necessity of maneuvering grounds, and second, as to the location of those grounds, it perhaps might be unobjectionable. But this proposition is not to investigate the necessity of maneuvering grounds at all, nor is it to investigate the desirability of the best place for maneuvering grounds, but merely to get an opinion from the War Department, which has already investigated this place, as to these grounds being located at Anniston, there already being a proposition to locate the grounds elsewhere, under a resolution passed by Congress for another specific place, and no request and no proposition to have the Army say what is the best place in which to locate the maneuvering grounds, if they are to be established.

I do not know whether the property around Anniston is a good location for maneuvering grounds, but under some authority the War Department has already made an investigation of those grounds, and a report has been made by Stephen C. Mills, colonel, Inspector General. In that report, referring to the grounds which it is now proposed to investigate, he says:

The tract of land to which my attention was invited as being suitable for maneuver purposes lies to the north of Anniston, being approximately rectangular in shape, bounded on the north by the town of Jacksonville and the east and west roads through it, on the east by the Choccolocco Mountain Range, on the south by the Choccolocco and Blue Mountains, and on the west by the Rome and Meridian branch of the Southern Railway. It is indicated by red shading on a map appended, marked "B," which map shows in 50-foot contours the elevation of the country. This tract is approximately 9 miles from south to north and from $3\frac{1}{2}$ to $5\frac{1}{2}$ miles from east to west. The boundaries to the north, east, and west are, of course, purely arbitrary.

That takes in a considerable tract of ground. But the milk in the cocoanut, the colored gentleman in the woodpile, comes in another part of his report, where he says:

The gentlemen who are desirous of attracting the attention of the War Department to this situation are prepared to donate to the Government 4,000 acres of land.

That reads very nicely up to that point. How are they going to pay for the 4,000 acres of land? Why do they propose to donate it, as some gentleman asked on the floor a few moments ago? The answer is not difficult. Proceeding to speak further in reference to these gentlemen, the inspector says:

And they say that lands up to, say, 25,000 to 30,000 acres can be purchased at an average price of \$15 per acre. They, or various land companies which they represent, own a good deal of the land and have options on a considerable portion not owned by them.

We can understand now why they propose to donate 4,000 acres of land—in order to sell 25,000 or 30,000 acres which they own or upon which they have option.

Mr. BLACKMON. Will the gentleman permit an inquiry?

Mr. MANN. I did not cut off debate, and I yielded half my time to that side, and I want to occupy my remaining time.

Mr. BLACKMON. I just wanted to ask a question.

Mr. MANN. When gentlemen insist on limiting debate—and the gentleman voted for it—I do not propose now to yield my remaining time.

Mr. BLACKMON. I voted for it, because I did not understand the gentleman wanted more time.

Mr. MANN. Oh, everybody understood that I wanted time. I wanted time to explain this bill. No wonder they wanted to cut off debate. If I had had an hour's time on this bill, I do not believe 40 gentlemen in the House would have voted for it.

They want to sell 25,000 or 30,000 acres of land to the Government. Of course, they can donate 4,000 acres when they can fix their price on the balance of it. The military authorities are never very particular about the price they pay for a thing which they say they want or must have. If Congress

passes a resolution directing them to report upon the desirability of these grounds for maneuver purposes—they have already expressed an opinion favorable to the proposition—the military authorities will take it as a direction from Congress to report favorably upon the proposition, and leave it to us to judge of the price of the land; and when the undertaking is started the price of the land becomes of small moment. Why, the Inspector General, who has made this report, has already reported an indorsement from The Adjutant General's Office. He directs the officer designated to examine into the suitability of the land in question for permanent maneuver grounds. The officer has already examined into the suitability of these lands for maneuver purposes, and he says:

In my opinion, the tract of land indicated is excellently adapted for maneuver purposes.

Why do they want a resolution passed now? The military authorities have already examined the ground. They have already been directed to report whether the ground is suitable for maneuver purposes. They have already reported that the ground is suitable for maneuver purposes, and this proposition—to have the form of a commission—is simply to take one step further toward involving the Government in the purchase of 25,000 or 30,000 acres of land where some gentlemen offer to encourage us by giving 4,000 acres. Does anybody suppose that these distinguished gentlemen in Alabama who are offering this land, and buying these options upon the land, are doing it for their health?

Mr. RICHARDSON. I know the gentleman wants to be perfectly fair about this. Will the gentleman read the following sentence, in which it is said that the country to the north and west lends itself perfectly to maneuver purposes?

Mr. MANN. I could not hear what the gentleman said.

Mr. RICHARDSON. Will the gentleman read what follows?

Mr. MANN. I will say to the gentleman again that I did not limit the debate on this bill.

Mr. RICHARDSON. I simply asked the gentleman to read right along instead of stopping where he did.

Mr. MANN. I will be very glad to read it for the satisfaction of the gentleman if he will tell me where he wants me to read.

Mr. RICHARDSON. The latter part.

Mr. MANN. On what page?

Mr. RICHARDSON. On page 4 of the report.

Mr. MANN. I will read it again. Here was a question which had been answered by the inspector, that the land in question is excellently adapted to maneuver purposes. Now, the gentleman wants me to read this:

The question as to the size of the maneuvers possible is entirely one of the amount of money obtainable for the purchase of lands, since the country to the north and west of this tract lends itself perfectly to maneuver purposes, and lands could be obtained at a comparatively low price per acre of sufficient extent for the maneuvering of any force we are likely to be able to concentrate.

Is that in addition to the 30,000 acres of land already provided in the report?

Is it to be not 30,000 but 100,000 acres of land? The reading of that was superfluous. That has nothing to do with it. Of course, we determine in the end whether we buy the ground at all. This is an offer of these gentlemen, having bought options on this ground, to unload it on the Government at a higher price than the land is worth in the market. They bought the options because they propose to make a profit on it. They offer to give 4,000 acres of land to the Government because they propose to more than recoup themselves out of selling the ground upon which they have purchased options, or that is controlled by land companies which they represent.

Mr. Chairman, I am not prepared to enter upon these land schemes. If the Government of the United States needs maneuver grounds for the national militia in these States, appoint a commission to investigate the subject and see where the grounds ought to be located, and not in response to the request of gentlemen who hold options on the land which they wish to sell to the Government, appoint a commission to make a report already made in order to start the wheels in motion that will take out of the Treasury of the United States higher value for land which gentlemen own on options.

We have always refused to do this; we ought not to begin, and if you gentlemen on that side of the House want to plunge into this sort of an undertaking, do it if you will, but you will find it most expensive to the Treasury and most damaging to the people who engage in this option land business. [Applause].

The CHAIRMAN. General debate has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and directed to appoint a commission consisting of

five officers of the Army of the United States to make a full and complete investigation and consider carefully whether or not it is advisable to make, establish, and maintain a maneuvering ground and camp of inspection, rifle and artillery ranges for United States troops at or near the city of Anniston, county of Calhoun, State of Alabama. Said commission shall fully consider the advantages and disadvantages of the lands contiguous to or near the city of Anniston, Ala., for the purpose herein stated, and report fully as to probable number of acres of land necessary to purchase and the probable cost of the same, and as to all facts and conditions material to be considered in the premises. The report shall be filed in the War Department by March 1, 1912, and communicated to Congress as soon as practicable by the President.

Mr. TILSON. Mr. Chairman, I move to amend the first section of the resolution by striking out, from line 10, page 2, the word "March" and inserting in lieu thereof the word "May."

Mr. DENT. Mr. Chairman, that amendment is acceptable to this side of the House.

Mr. MANN. Let us have the amendment reported.

The Clerk read as follows:

Page 2, line 10, strike out the word "March" and insert in lieu thereof the word "May."

Mr. MANN. May I ask the gentleman from Connecticut what is the purpose of his amendment?

Mr. TILSON. To give a longer time in which to make the report. As the resolution now reads, it requires a report to be filed on or before March 1, 1912.

Mr. MANN. I suppose the gentleman will agree with me that if the resolution passed on February 29 they could make the report by March 1.

Mr. TILSON. They ought not to.

Mr. MANN. The gentleman knows that they have already reported on it. It is a mere matter of form; it may take longer than this to get the bill through the Senate—I hope so.

Mr. TILSON. Mr. Chairman, I am sorry that the gentleman from Illinois sees such terrors in this bill. Certainly he is able to see more than the members of the Military Committee were able to see in it. This is not the only proposition that has been made for inspection of grounds for maneuver purposes. As has been already stated, one in Tennessee has been investigated. We had a hearing this morning before the committee, and a gentleman from central Tennessee proposed something of a similar nature, with 4,000 acres or thereabouts.

Mr. DENT. Will the gentleman yield?

Mr. TILSON. I will.

Mr. DENT. Is it not a fact that a resolution exactly similar to this, except as to location, was passed by Congress in February, 1911, and approved by the President?

Mr. TILSON. It was, and nothing was said about it; no danger was seen in it. In fact, Mr. Chairman, there is no necessary connection between the examination of a parcel of land to see whether it is fit for maneuver grounds, and whether it is desirable for the Government to purchase it, and the actual purchase of the land at an exorbitant figure. As a matter of fact, 4,000 acres of land would be ample for camp purposes, target ranges, and for all purposes for which it would be necessary to own the land.

Mr. BLACKMON. Will the gentleman yield?

Mr. TILSON. Certainly.

Mr. BLACKMON. Is it not a fact that the Government owns two sections of land contiguous to these 4,000 acres?

Mr. TILSON. Whether it does or not, it might prove to be a most desirable maneuver ground if these people would donate to the Government the 4,000 acres of land for use as a permanent camp site and for target ranges. We all know that time and time again the Government has held maneuvers entirely on leased land leased at a modest figure, and in this case if it acquire sufficient ground for camp sites and target ranges, the land necessary for maneuvers outside of the camp ground and target ranges could be easily rented for occasional use at a nominal figure.

In fact, it has been done in all parts of the country. There is comparatively little damage, as I know from actual experience. We went through the eastern part of Massachusetts, a closely inhabited country, with intensive farming of various kinds, especially cranberry beds, and yet the Government report showed, after we had been through that country from New Bedford north to Boston, that the damage was inconsequential.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILSON. Mr. Chairman, what I particularly object to here is that it should be assumed that there is some scheme into which this committee has entered to force the Government into a policy of buying lands at an exorbitant figure for the benefit of some land companies or some other gentlemen in the State of

Alabama. The Committee on Military Affairs has been desirous that we shall have the very best ground in the country at the most reasonable figure for purposes of training troops. We are willing and thought it a desirable thing that we should pay the traveling expenses of a small board of officers—and that is all it would cost—to go to Alabama to examine this land and report as to whether or not it is suitable for that purpose, whether the Government should accept the 4,000 acres, and also whether it would be desirable to purchase any more. That is all there is to it, and that is as far as this resolution goes. The Government is not committed to anything by this resolution, nor is it anticipated that it will be in the future, unless it be something that the War Department itself, representing the Government, believes to be beneficial for the national defense, and such a recommendation would have to be approved by Congress. We have tried in this resolution to give our Government the benefit of information secured, after a careful examination, by a board of officers, with no expense whatever except their traveling expenses to Alabama, as to a proposition believed to be favorable to the United States and useful in preparation for the national defense. If this should prove to be true, then I say that this committee would be derelict in its duty if it did not report such a resolution and give the Government an opportunity to take advantage of such a benefit.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Connecticut.

Mr. MANN. Mr. Chairman, the gentleman from Alabama a moment ago, I believe, stated that the Government owned two sections of land which might at some place come in connection with these maneuver grounds. I suppose if the Government owns two sections of land down there it is owned under some provision of law susceptible of being entered by—

Mr. DENT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DENT. I understood that the Chair was putting the question as to whether the amendment offered by the gentleman from Connecticut should be adopted by the committee. I do not think it has been passed upon.

The CHAIRMAN. The amendment has not been voted upon.

Mr. DENT. I understood the Chair to submit the question.

The CHAIRMAN. The amendment has not been voted upon. The gentleman from Illinois is entitled to the floor for five minutes.

Mr. MANN. Mr. Chairman, if the Government owns these two sections of land down there adjoining this land, upon which the other gentlemen had the option, why has not somebody entered that land; why has not somebody taken it; why does not somebody homestead it and get possession of it at a dollar and a quarter an acre? I suppose it is because it is not worth a dollar and a quarter an acre, although right alongside of ground for which we are expected to pay \$15 an acre in order to recoup the gentlemen who own the options on it for giving the 4,000 acres to the Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The question was taken, and the amendment was agreed to.

Mr. PROUTY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out the word "five," in line 5, page 1, and insert in lieu thereof the word "three"; and insert after the word "States," line 5, the following:

"And three Members of Congress, one from the Senate, appointed by the Presiding Officer of that body, and two from the House of Representatives, appointed by the Speaker."

Mr. PROUTY. Mr. Chairman, I am offering that amendment for the purpose of accentuating a situation that I think I have detected in the short stay that I have had in Congress. That is that this House seems to have relied, in the past at least, entirely upon such information as it might be able to secure through the Departments of the Navy or the Army. Mr. Chairman, it seems to me that, since Congress is charged with the responsibility of the expenditure of funds, since it is charged with the care of the Public Treasury, that there ought to be somebody who is a Member of this branch of the Government to look into deals of this kind, upon which we are called ultimately to put our approval by the appropriation of funds.

Mr. HOBSON. Will the gentleman yield for a question?

Mr. PROUTY. I will.

Mr. HOBSON. Does not the gentleman think that in connection with the final report upon the question of the adoption or purchase that that would be the time for the joint commission?

Mr. PROUTY. Relying upon the statement of the gentleman, as lately withdrawn but formerly in the RECORD, I am inclined to think that it is time to begin this matter early, in order to ascer-

tain the facts, and not look to the departments for information, as the gentleman indicates has been done in another bill.

I am in earnest about this matter. I am frank to say I could pick out two men from this floor who if they would go down there and look over this situation and tell me that this land was worth so and so and could be bought for so and so, knowing they are in the same position before the American people that I am as guardians of the Public Treasury, I would accept their judgment; and you will pardon me, Mr. Chairman, if I hesitate somewhat to accept the judgment of officers of the Army in these matters over which and for which they are in no manner responsible. There have been four or five cases coming before my attention during the discussion of various bills before this House in which—

Mr. DENT. Will the gentleman allow a question?

The CHAIRMAN. Does the gentleman yield?

Mr. PROUTY. Certainly.

Mr. DENT. I would like to ask the gentleman if his amendment were adopted if it would not require an additional appropriation in order to get somebody to act outside of the Regular Army officers?

Mr. PROUTY. I think not, sir. I have asked that they be appointed from the Members of the House and the Senate. I understand all of those gentlemen to be getting salary now and it is claimed some were getting two salaries. The expense of Members of the House and Senate going down there would be no greater than members of the Army, and, judging from what I have heard, I am inclined to think their expenses would not be quite so large.

Mr. DENT. But you certainly would increase the expenses by increasing the number.

Mr. PROUTY. Well, it adds one only, and I am inclined to think that even the two we take off the Army will equal the expenses of the three we put on from the House and Senate. But I am presenting this matter seriously because we are facing a matter which is important. I have been told again and again that the expenses of the Army and Navy are becoming topheavy in this country. As one gentleman stated the other day, there seems to be no limit of expenditures in those departments, and it seems to me it is time for the Members of this House, who are primarily responsible for expenditures, to look into these investments before they get too far along. [Applause.]

Mr. BLACKMON. Mr. Chairman, I have great respect for the views of the distinguished gentleman from Iowa. I imagine, though, if we should select him, for instance, to make the investigation, or if I should be selected, that the gentleman and myself would know about as much, or our views would be worth just as much, on the subject of maneuvering grounds as would be the curl of a pig's tail concerning the price of pork. We would not know anything about it, and I for one am willing to leave the Army officers to deal with a question that is solely within the province of that department. I do not believe that they are robbing the people or spending improvidently their money. If that be true, I am sorry that the distinguished gentleman has not discovered during his long service that that was taking place, and not wait until this late date, when a resolution comes up authorizing an investigation of a proposition from Aniston, Ala.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Iowa.

The question was taken, and the Chair announced the yeas seemed to have it.

Mr. PROUTY. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 32, yeas 81. So the amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. MANN. Mr. Chairman, the War Department has recently sent an answer to this body, responding to a resolution passed by the House in reference to the abandonment of various military posts. It seems a very strange thing that the Democratic side of the House, with the recommendations before it that we abandon a lot of Army posts, proposes, instead of doing that, to purchase a lot of additional land. We have Army posts, so the War Department now says, that have cost us close to \$100,000,000, but valueless, they say, for Army purposes. And yet we have had no legislation with reference to abandoning them. But now, on the plea of economy, we have a proposition involving the purchase of 30,000 to 40,000 acres of land at a high and unconscionable price, because the passage of this resolution means that. Why should not you gentlemen who want to economize, economize once in a while? [Applause on the Republican side.]

Mr. HOBSON. Mr. Chairman, I can not see the force of the contention of the gentleman from Illinois. The policy of the

abandonment of small posts widely scattered is a part of a general policy of concentration of larger numbers of troops. The abandonment of the many expensive small posts entails the development of economical posts of larger dimensions. An investigation of this question of Army concentration would bring out the fact that geographically the trend of the movement of our Army posts must be southward.

I further call to the attention of Members that even in as small a war as the Spanish War, located in the West Indies, the Government sent its troops southward, and they actually occupied by choice this region near Anniston as the best in which to concentrate the troops. Now, nature has given many advantages to this point over all other points. It is well watered, and watered in such a unique way as to be free from typhoid and similar contagions. It has just the right altitude and rainfall to make the climate almost perfect the year around. The railroad facilities are excellent. The topography, the stretches of level land with the buttresses of hills, is unusually advantageous for the purposes of a great Army post and great maneuver grounds. The strategic location marks it as the region for concentration of troops for the wars of the future.

Mr. MICHAEL E. DRISCOLL. Will the gentleman state what additional information on this subject this board or commission to be proposed to be appointed in this resolution could give further than the information now contained in the report by Col. Mills?

Mr. HOBSON. I will be very glad to do that, because that is the crux of the situation.

Mr. MICHAEL E. DRISCOLL. Does that not cover the rainfall and other questions involved?

Mr. HOBSON. I will tell the gentleman that the report already made is precisely the first preliminary report that is made on any such a project, just like a reconnaissance of a river leading to its survey as to whether its navigation ought to be developed or not. The second regular step is the step now proposed. The gentleman from Illinois [Mr. MANN] does not seem to grasp this fact. This is not a question of the purchase of land. It is not a question of deciding upon a location for maneuvering grounds, but simply to make a more detailed investigation of the suitability and advantages of the region in question. The fact remains that it will be necessary for us in carrying out the present policy of economical concentration of our troops to have large maneuvering grounds somewhere. The natural tendency will be southward for geographical, climatic, and strategic reasons, and it is most opportune now, with the approaching opening of the Panama Canal, to begin serious investigation of particular regions. An examination will certainly show, just as the Spanish War brought out the fact, that in northern Alabama, and probably in the neighborhood of Anniston, is the best location in America for just such a post and maneuver grounds.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOBSON. Now, Mr. Chairman, this question is merely to appoint what is in every way a proper commission at this stage to make a proper survey and report. I can say for the benefit of the gentleman from Illinois that his theories of extravagance and possible graft are not well grounded. Tell me where else in the United States could you get land for \$15 an acre suitable for maneuvering.

Mr. MICHAEL E. DRISCOLL. Will the gentleman say why they are to donate these 4,000 acres?

Mr. HOBSON. I will say that it is done just precisely as the public-spirited citizens of a community will frequently contribute land for public purposes, say, a public building. The impulse is patriotism and public spirit. The great opportunity here open ought to be brought to the attention of the Government. I do not say the establishment of a post or maneuver grounds would not be a benefit to the community. Doubtless it would. But that question is not involved here. The question of whether certain citizens will make money out of it eventually is not involved.

Mr. GOOD. If we are to adopt a policy of consolidating the Army posts and adopting the policy of establishing maneuvering grounds generally, would not that be accomplished more economically by appointing a commission to look over the entire scope?

Mr. HOBSON. I am in entire agreement with the gentleman as to that.

Mr. GOOD. And would not this work in direct conflict with that kind of a survey or examination?

Mr. HOBSON. On the contrary, I think this would be a preliminary part of such a work, and the moment the gentleman wishes to have that general proposition taken up I am sure he will find sympathetic support. And I will say to him further that there is a bill pending, that will probably come before the House before long, creating a council of national defense, that will probably take up this question and similar questions for the whole country. But here is a meritorious proposition just to find out, without expense, whether the Government has not a splendid opportunity here in this location.

Mr. MANN. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. HOBSON. Certainly.

Mr. MANN. I understood the gentleman to say that this would be a good place for the location of a consolidated Army post, and that that was one of the arguments which the gentleman was advancing in favor of this location.

Mr. HOBSON. I think that in addition to maneuver grounds it would be a very desirable location for a consolidated Army post; one of the most desirable locations in this country.

Mr. MANN. Does the gentleman think we ought to undertake to purchase grounds for a consolidated Army post without having first a view of the whole country?

Mr. HOBSON. I think the gentleman is correct in that, but this present proposition does not have in view the purchase of any land at all; only an investigation.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I wish to speak on this resolution. I move to strike out the last three words.

Mr. DENT. Mr. Chairman, I yield to the gentleman whatever time he desires.

The CHAIRMAN. The gentleman from New York [Mr. MICHAEL E. DRISCOLL] is recognized for five minutes.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, while the gentleman from Alabama [Mr. HOBSON] was talking I asked him in what respect the board or commission to be created by this resolution would report more completely and more thoroughly than the man that examined into the subject.

Mr. HOBSON. I meant to answer the question of the gentleman more at length.

Mr. MICHAEL E. DRISCOLL. The gentleman said, "I am just going to do that," but he talked on other subjects, and he did not touch the point I wanted him to explain.

Mr. HOBSON. If the gentleman will yield me time now I will cover that point.

Mr. MICHAEL E. DRISCOLL. I have been trying, Mr. Chairman, to find out from the beginning of this discussion, since the gentleman from Connecticut [Mr. TILSON] began the explanation of this resolution, why certain gentlemen down there who are interested in land companies are so generous as to offer 4,000 acres of land for nothing, to donate it to the Government. It appears that those gentlemen are interested in twenty-five or thirty thousand acres more of land surrounding the 4,000 acres which they propose to donate, and they say they have options on it and that it can be bought for \$15 an acre. Beware of Greeks bearing gifts to the Government. There is always a "nigger in the fence" when people are willing to give away something, and it always arouses my suspicion.

Now, at the request of somebody—and I think it was the request of the gentleman from Alabama, who introduced this resolution, by a letter that he wrote to Gen. Wood—Col. Mills was sent down there to investigate. He did investigate, apparently. He has brought back and submitted here a comprehensive report, stating practically everything, so far as I know, which would be ordinarily necessary to inform the War Department as to the merits of this proposition.

Mr. HOBSON. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Alabama?

Mr. MICHAEL E. DRISCOLL. I can not yield.

Mr. HOBSON. This would be a good point at which to make one little statement.

Mr. MICHAEL E. DRISCOLL. The gentleman will have a chance probably later on. I am afraid to let the gentleman start to make a statement in my time.

Mr. HOBSON. This board would make surveys which the other one could not undertake.

Mr. MICHAEL E. DRISCOLL. Why should we pass an act directing the attention of the War Department to this particular proposition submitted by the gentleman from Alabama, if we are going later on to create a commission to go over the country and pick out the best and most available locations and territory for the general maneuvers of the Army? Why not create a commission or board now, with power to examine all the propo-

tions and all the locations submitted to them for consideration, and report upon them all and recommend the one which they think is the best? This resolution gives such a board or commission no such power. This resolution is simply framed up in such a way as to compel the War Department actually to accept this particular proposition. It ought to be beaten, and it ought to be beaten on the merits. No man can defend it on the ground of economy or anything else. [Applause.]

Mr. MONDELL. Mr. Chairman, I rise to oppose the amendment of the gentleman from New York [Mr. MICHAEL E. DRISCOLL]. His amendment was to strike out the last three words, and if that amendment should be agreed to it would provide that this board should be paid. I am not in favor of the board being paid.

I have been in this House quite a number of years and I have seen some remarkable propositions presented to the House at one time and another, but it seems to me that as a really unique and unusual proposition this particular measure takes the cake—the entire bakery, in fact.

I understood that the Committee on Military Affairs had turned over to the War Department this question of concentration, of saying where the troops should be housed and where they should be maneuvered. In the Army bill, passed the other day, the War Department was given carte blanche to abandon \$90,000,000 worth of property in the great Northwest, much of it new, up-to-date, first-class buildings—splendid Army posts—constructed within the last few years. Their abandonment is left entirely to the discretion of the War Department. And in order that that department may be encouraged to abandon these buildings forthwith, the Democratic majority here has prohibited the Secretary of War from using any portion of the appropriation for the purpose of stopping any leaks that may occur in the roofs of any of these buildings or in any way caring for them. But so anxious are the gentlemen now to reverse the policy adopted a few days ago, so far as the great State of Alabama is concerned, that they now propose to have Congress actually take a hand in the matter of asserting its authority as to the establishment or selection of grounds for maneuver purposes down in the State of Alabama. I suppose eventually this will be one of the great concentration posts of which we have heard so much.

Mr. BLACKMON. Will the gentleman yield?

Mr. MONDELL. Yes; with pleasure.

Mr. BLACKMON. The gentleman says this is the most unique proposition he ever heard of.

Mr. MONDELL. Yes.

Mr. BLACKMON. Was the gentleman a Member of this body on the 24th of February, 1911?

Mr. MONDELL. I believe that I was; yes.

Mr. BLACKMON. Did the gentleman know that a resolution absolutely similar to this was passed at that time, with the exception that the words "Tallahoma, Tenn.," were contained therein, while this one contains the words "Anniston, Ala."?

Mr. MONDELL. What gentleman was up for renomination in that district?

Mr. BLACKMON. I do not know; but the gentleman's long service and his watchfulness did not seem to prevent the passage of that resolution.

Mr. MICHAEL E. DRISCOLL. Had there been a report made already on that proposition?

Mr. MONDELL. I did not claim to have been overwatchful. I do not know the name of the gentleman in whose district it was proposed to have that examination. I have no doubt the gentleman's services were well worth it, and I have no doubt that the services of the gentleman in whose behalf this resolution is presented are well worth this expense.

Mr. BLACKMON. The gentleman was more generous with the gentleman from Tennessee than he is with the gentleman from Alabama.

Mr. MONDELL. I am generous with both gentlemen, as far as that is concerned.

Mr. BLACKMON. Evidently.

Mr. MONDELL. Only I do not want the money paid out of the Treasury of the United States to help this scheme along.

Mr. BLACKMON. The gentleman did on that occasion.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment will be considered as withdrawn.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the joint resolution to the House as amended, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SULZER, Chairman of the Committee of the

Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 178, creating a commission to investigate and report on the advisability of the establishment of a permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the city of Anniston, county of Calhoun, State of Alabama, and to likewise report as to certain lands in and around the city of Anniston, county of Calhoun, State of Alabama, proposed to be donated to the United States for said purposes, and had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the joint resolution as amended do pass.

Mr. DENT. Mr. Speaker, I move the previous question on the joint resolution and amendment to the final passage.

The question being taken, the Speaker announced that the ayes appeared to have it.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 67, noes 15.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

Mr. DENT. I move a call of the House.

The SPEAKER. A call of the House will be taken automatically if this motion fails. The question is on the motion of the gentleman from Illinois that the House do now adjourn. All those in favor of the motion will rise and stand until counted. [After counting.] Twenty-two gentlemen have arisen.

Mr. SULZER. Let us have the other side, Mr. Speaker.

The SPEAKER. The Chair will take the other side. All those opposed to the motion will rise. [After counting.] Seventy-nine gentlemen have arisen, and the yeas and nays are ordered.

The question was taken; and there were—yeas 37, nays 175, answered "present" 7, not voting 174, as follows:

YEAS—37.

Burke, S. Dak.	Guernsey	Morgan	Sulloway
Butler	Hamilton, Mich.	Nelson	Taylor, Ohio.
Cannon	Heald	Olmsted	Volstead
Crago	Jackson	Pickett	Warburton
Driscoll, M. E.	Langham	Prouty	Willis
Foss	McKinney	Rees	Wood, N. J.
French	McMorran	Rodenberg	Young, Kans.
Gardner, N. J.	Martin, S. Dak.	Stephens, Cal.	
Good	Mondell	Sterling	
Griest	Moon, Pa.	Stevens, Minn.	

NAYS—175.

Adair	Dixon, Ind.	James	Randell, Tex.
Adamson	Doughton	Johnson, Ky.	Rauch
Akin, N. Y.	Dyer	Johnson, S. C.	Redfield
Alexander	Esch	Jones	Reilly
Ames	Evans	Kahn	Reynolds
Anderson, Minn.	Falson	Kendall	Richardson
Anderson, Ohio	Farr	Kennedy	Roberts, Nev.
Ansberry	Fergusson	Kitchin	Roddenberry
Barnhart	Ferris	Konop	Rubey
Bartlett	Finley	Lafferty	Rucker, Colo.
Bathrick	Flood, Va.	La Follette	Rucker, Mo.
Beall, Tex.	Floyd, Ark.	Lee, Pa.	Russell
Bell, Ga.	Fornes	Lenroot	Shackelford
Berger	Fowler	Lever	Sherley
Blackmon	Gallagher	Lindbergh	Sherwood
Bowman	Gardner, Mass.	Linthicum	Simmons
Bradley	Garner	Littlepage	Sims
Buchanan	Garrett	Lloyd	Sloan
Burleson	Godwin, N. C.	Lobeck	Smith, J. M. C.
Burnett	Goeke	McCoy	Smith, Tex.
Byrnes, S. C.	Goodwin, Ark.	McCreary	Speer
Byrns, Tenn.	Gould	McDermott	Stedman
Callaway	Gray	McGillcuddy	Stephens, Miss.
Candler	Gregg, Pa.	McKellar	Stephens, Nebr.
Clark, Fla.	Gregg, Tex.	Madden	Stephens, Tex.
Claypool	Gudger	Maguire, Nebr.	Stone
Clayton	Hamilton, W. Va.	Martin, Colo.	Sulzer
Cline	Hamlin	Moon, Tenn.	Taggart
Collier	Hardwick	Morrison	Talcott, N. Y.
Conry	Hardy	Morse, Wis.	Taylor, Ala.
Cooper	Harrison, Miss.	Moss, Ind.	Taylor, Colo.
Cox, Ind.	Harrison, N. Y.	Murdock	Tribble
Crumpacker	Hay	Neeley	Turnbull
Cullop	Hayden	Norris	Underhill
Curley	Hayes	Padgett	Underwood
Curry	Heflin	Page	Watkins
Daugherty	Helm	Palmer	Wedemeyer
Davenport	Henry, Tex.	Peters	White
Davis, Minn.	Hensley	Post	Wickliffe
Davis, W. Va.	Holland	Pou	Wilson, Pa.
De Forest	Houston	Powers	Witherspoon
Dent	Howard	Rainey	Woods, Iowa
Dickinson	Hull	Raker	Young, Tex.
Dies	Jacoway		

ANSWERED "PRESENT"—7.

Andrus	Foster, Ill.	Tilson
Bates	Glass	Talbot, Md.

NOT VOTING—174.

Aiken, S. C.	Driscoll, D. A.	Kinhead, N. J.	Prince
Alney	Dupre	Knowland	Pujo
Allen	Dwight	Kopp	Ransdell, La.
Anthony	Edwards	Korbly	Riordan
Ashbrook	Ellerbe	Lafean	Roberts, Mass.
Austin	Estopinal	Lamb	Robinson
Ayres	Fairchild	Lawrence	Rothermel
Barchfeld	Fields	Lee, Ga.	Rouse
Bartholdt	Fitzgerald	Legare	Sabath
Bingham	Focht	Levy	Saunders
Boehne	Fordney	Lewis	Scully
Booher	Foster, Vt.	Lindsay	Sells
Borland	Francis	Littleton	Sharp
Brantley	Fuller	Longworth	Sheppard
Broussard	George	Loud	Sisson
Brown	Gillett	McCall	Slayden
Browning	Goldfogle	McGuire, Okla.	Slemp
Bulkley	Graham	McHenry	Small
Burgess	Green, Iowa	McKenzie	Smith, Saml. W.
Burke, Pa.	Greene, Mass.	McKinley	Smith, Cal.
Burke, Wis.	Hamill	McLaughlin	Smith, N. Y.
Calder	Hammond	Macon	Sparkman
Campbell	Hanna	Maher	Stack
Cantrill	Harris	Malby	Stanley
Carlin	Hartman	Mann	Steenerson
Carter	Haugen	Matthews	Sweet
Cary	Howley	Mays	Switzer
Catlin	Helgesen	Miller	Thayer
Connell	Henry, Conn.	Moore, Pa.	Thistlewood
Copley	Higgins	Moore, Tex.	Thomas
Covington	Hill	Mott	Towner
Cox, Ohio	Hinds	Murray	Townsend
Cravens	Hobson	Needham	Tuttle
Currier	Howell	Nye	Utter
Dalzell	Howland	Oldfield	Vreeland
Danforth	Hubbard	O'Shaunessy	Webb
Davidson	Hughes, Ga.	Parran	Weeks
Denver	Hughes, N. J.	Patten, N. Y.	Whitacre
Dickson, Miss.	Hughes, W. Va.	Patton, Pa.	Wilder
Difenderfer	Humphrey, Wash.	Payne	Wilson, Ill.
Dodds	Humphreys, Miss.	Pepper	Wilson, N. Y.
Donohoe	Kent	Plumley	Young, Mich.
Doremus	Kindred	Porter	
Draper	Kinkaid, Nebr.	Pray	

So the motion was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WILSON of New York with Mr. WILSON of Illinois.

Mr. THAYER with Mr. WILDER.

Mr. KINHEAD of New Jersey with Mr. THISTLEWOOD.

Mr. SMITH of New York with Mr. MILLER.

Mr. ROTHERMEL with Mr. PATTON of Pennsylvania.

Mr. RANDELL of Louisiana with Mr. MANN.

Mr. PEPPER with Mr. NYE.

Mr. PATTEN of New York with Mr. MOORE of Pennsylvania.

Mr. MOORE of Texas with Mr. MCKENZIE.

Mr. ROUSE with Mr. MCCALL.

Mr. LINDSAY with Mr. LOUD.

Mr. LEVY with Mr. KNOWLAND.

Mr. LEGARE with Mr. KINKAID of Nebraska.

Mr. LAMB with Mr. HOWELL.

Mr. HUGHES of New Jersey with Mr. HINDS.

Mr. HAMMOND with Mr. HILL.

Mr. HAMILL with Mr. HENRY of Connecticut.

Mr. DIFENDERFER with Mr. HELGESEN.

Mr. FITZGERALD with Mr. CALDER.

Mr. ELLERBE with Mr. HAUGEN.

Mr. EDWARDS with Mr. HARTMAN.

Mr. DUPRE with Mr. HARRIS.

Mr. DONOHUE with Mr. GILLETT.

Mr. DENVER with Mr. DRAPER.

Mr. CONNELL with Mr. CURRIER.

Mr. CARLIN with Mr. CATLIN.

Mr. BROWN with Mr. CAMPBELL.

Mr. BROUSSARD with Mr. BINGHAM.

Mr. BRANTLEY with Mr. BARTHOLDT.

Mr. ASHEROOK with Mr. AINEY.

Mr. SMALL with Mr. BARCHFELD.

Mr. BOOHER with Mr. YOUNG of Michigan.

Mr. FOSTER of Illinois with Mr. KOPP.

Mr. HUMPHREYS of Mississippi with Mr. LAWRENCE.

The result of the vote was announced, as above recorded.

The SPEAKER. The question is on ordering the previous question on the resolution and amendment to final passage.

The question was taken, and the previous question was ordered.

The SPEAKER. The question now is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the amended joint resolution.

The question was taken, and the joint resolution was ordered to be engrossed and read a third time.

Mr. MANN. Mr. Speaker, I demand the reading of the engrossed resolution.

The SPEAKER. The gentleman from Illinois demands the reading of the engrossed resolution. That puts an end to the consideration of the resolution for the present.

Mr. UNDERWOOD. Mr. Speaker, the previous question having been ordered, as I understand it, the engrossed resolution will come up to-morrow first thing.

The SPEAKER. That is true. It would come up right now if we had the engrossed copy here.

Mr. UNDERWOOD. The engrossed copy is not at the Speaker's table?

The SPEAKER. No.

SENATE BILL AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4197. An act for the purchase of a site for the erection of a post-office and public building at New Martinsville, Wetzel County, W. Va.; to the Committee on Public Buildings and Grounds.

S. J. Res. 74. Joint resolution for an exhibit at the Fifth National Corn Exposition at Columbia, S. C.; to the Committee on Industrial Arts and Expositions.

Senate concurrent resolution 11.

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 additional copies of the message of the President of the United States transmitting the report of the Employers' Liability and Workmen's Compensation Commission, together with the hearings held before the commission, of which 2,500 copies shall be for the use of the Senate, 5,000 copies for the use of the House of Representatives, and 2,500 copies for the use of the Committee on the Judiciary of the Senate, and that there be printed as a Senate document, in one pamphlet, 25,000 copies of the message and report only, of which 5,000 copies shall be for the use of the Senate, 12,500 copies for the use of the House of Representatives, and 7,500 copies for the use of the Committee on the Judiciary of the Senate—to the Committee on Printing.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill (H. R. 20482) to establish a post office at Texarkana, Tex., and to provide for the appointment of a postmaster, was changed from the Committee on Public Buildings and Grounds to the Committee on the Post Office and Post Roads.

ADJOURNMENT.

Then, on motion of Mr. UNDERWOOD (at 5 o'clock and 8 minutes p. m.), the House adjourned until Thursday, February 22, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting estimates of appropriation for continuing the construction of Cavalry post, Hawaii Territory (H. Doc. No. 555); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Apoon mouth of Yukon River, Alaska (H. Doc. No. 556); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Biscayne Bay, Fla. (H. Doc. No. 554); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Harlem River, at Johnsons Iron Works, N. Y. (H. Doc. No. 557); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

5. A letter from the Secretary of War, transmitting, pursuant to House resolution, additional information relative to certain matters in regard to Pay Department of the Army (H. Doc. No. 558); to the Committee on Expenditures in the War Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAMILTON of West Virginia, from the Committee on Invalid Pensions, to which was referred sundry bills of the

House, reported in lieu thereof the bill (H. R. 20585) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 329), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 20586) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 330), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WILSON of Pennsylvania: A bill (H. R. 20576) to regulate the officering and manning of vessels, to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEENERSON: A bill (H. R. 20587) to define and regulate investment companies authorized to use the mail; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: A bill (H. R. 20588) to amend the Criminal Code of Alaska; to the Committee on the Territories.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 20589) to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PEPPER: A bill (H. R. 20590) fixing the time for election of Representatives and Delegates in Congress and for the appointment of electors of President and Vice President of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. WEBB: A bill (H. R. 20591) amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating human diseases, ailments, and disabilities; to the Committee on Patents.

By Mr. FOSS: A bill (H. R. 20592) for increasing the Naval Establishment; to the Committee on Naval Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 20593) to authorize the Norfolk & Western Railway Co. to construct sundry bridges across the Tug Fork of the Big Sandy River; to the Committee on Interstate and Foreign Commerce.

By Mr. PALMER: A bill (H. R. 20594) to create a revenue board; to the Committee on Ways and Means.

By Mr. TOWNSEND: A bill (H. R. 20595) to amend section 25 of an act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909; to the Committee on Patents.

Also, a bill (H. R. 20596) to amend section 25 of an act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909; to the Committee on Patents.

By Mr. BINGHAM: A bill (H. R. 20597) for the recognition of the military service of the officers and enlisted men of certain Pennsylvania military organizations; to the Committee on Military Affairs.

By Mr. SIMMONS: A bill (H. R. 20598) to regulate the importation of nursery stock; to enable the Secretary of Agriculture to appoint a Federal horticultural board and to define the powers of this board in establishing and maintaining quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom; and for other purposes; to the Committee on Agriculture.

By Mr. NEELEY: A bill (H. R. 20599) to amend section 531 of the Revised Statutes of the United States, and also to amend section 82 of chapter 5 of the act approved March 3, 1911, entitled "The judiciary"; to the Committee on the Judiciary.

By Mr. BARTHOLOTT: Concurrent resolution (H. Con. Res. 39) to amend concurrent resolution passed August 21, 1911, providing for the printing of the proceedings upon the unveiling of the statue of Baron von Steuben; to the Committee on Printing.

By Mr. CURLEY: Joint resolution (H. J. Res. 248) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAMILTON of West Virginia: A bill (H. R. 20585) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. RUSSELL: A bill (H. R. 20586) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ALLEN: A bill (H. R. 20600) granting a pension to Augusta Dempsey; to the Committee on Invalid Pensions.

By Mr. DENVER: A bill (H. R. 20601) granting an increase of pension to Samuel H. Jolly; to the Committee on Invalid Pensions.

By Mr. FAISON: A bill (H. R. 20602) for the relief of Frederick Pate; to the Committee on War Claims.

By Mr. FLOOD of Virginia: A bill (H. R. 20603) granting an increase of pension to Susan Johnson; to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 20604) granting an increase of pension to Levi Lewis; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 20605) granting an increase of pension to George W. Hurd; to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 20606) granting a pension to D. A. Kanife; to the Committee on Pensions.

By Mr. HAYES: A bill (H. R. 20607) for the reimbursement of the legal representative of James Harvey Dennis for moneys expended by the said James Harvey Dennis for the improvement of the Tennessee River; to the Committee on Appropriations.

By Mr. JAMES: A bill (H. R. 20608) for the relief of the estate of Jonathan Polk, deceased; to the Committee on War Claims.

By Mr. KAHN: A bill (H. R. 20609) for the relief of Richard H. Grey; to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 20610) granting an increase of pension to Emanuel Smith; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20611) granting an increase of pension to Nelson McIntosh; to the Committee on Pensions.

Also, a bill (H. R. 20612) granting an increase of pension to Dan M. Hager; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 20613) for the proper recognition of services rendered by Herman Haupt during the Civil War; to the Committee on Military Affairs.

By Mr. MOORE of Texas: A bill (H. R. 20614) for the relief of the heirs of Fannie Elizabeth Cole; to the Committee on War Claims.

By Mr. NYE: A bill (H. R. 20615) granting a pension to Maurice Luby; to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 20616) granting a pension to Alice May Sparrow; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 20617) granting an increase of pension to William Jeffrey; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 20618) granting an increase of pension to Horace H. Burbank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20619) granting an increase of pension to George F. Wheeler; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 20620) granting an increase of pension to William H. Dye; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 20621) granting an increase of pension to Willard B. Hill; to the Committee on Invalid Pensions.

By Mr. YOUNG of Kansas: A bill (H. R. 20622) for the relief of Francis H. McLaughlin; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of American Association for the Advancement of Science, protesting against introduction of

injurious insects and plant diseases from foreign lands; to the Committee on Interstate and Foreign Commerce.

Also, petition of members, Improved Order of Red Men of ninth congressional district of the State of Missouri, for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. AKIN of New York: Petition of residents of Glens Falls, N. Y., for passage of old-age pension bill; to the Committee on Pensions.

Also, petition of members, Improved Order of Red Men of twenty-fifth congressional district of New York, for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, memorial of New York State Assembly, for passage of militia pay bill; to the Committee on Military Affairs.

Also, memorial of Sons of the Revolution in the State of New York, for preservation of certain battle flags; to the Committee on Naval Affairs.

By Mr. ANDERSON of Minnesota: Petition of O. W. Nelson and Frank J. Greener, of Reno, Minn., against extension of parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of C. L. and Mary E. Gabke, of Newark, Ohio, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of the Woman's Christian Temperance Union of Tuscarawas County, Ohio, favoring the passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. BINGHAM: Resolutions of Royal Lodge, No. 440, and Philadelphia Baron de Hirsh Lodge, No. 535, Independent Order B'rith Abraham, and of Moses Montefiore Lodge, No. 21, Independent Order B'rith Shalom, of Philadelphia, Pa., relative to treaties with Russia; to the Committee on Foreign Affairs.

Also, resolution of the Art Club of Philadelphia, Pa., relative to the Lincoln memorial; to the Committee on the Library.

Also, petition of German Catholic Society of Philadelphia, Pa., in favor of House bill 2896, to provide a tax upon white phosphorous matches, and for other purposes; to the Committee on Ways and Means.

Also, resolutions of the Central Bureau of Philadelphia Yearly Meeting, for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, resolutions of the Philadelphia Maritime Exchange, protesting against the abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCHANAN: Petition of the German Republican Club of Rockford, Ill., praying for the defeat of any interstate-commerce liquor measure; to the Committee on the Judiciary.

By Mr. CATLIN: Petitions of the California (Mo.) Saengerbund, the German-American Pioneer Association of Lafayette County, Mo., and the National German-American Alliance of St. Joseph, Mo., protesting against the passage of any prohibition or interstate-commerce liquor measure now pending in Congress; to the Committee on the Judiciary.

By Mr. CLINE: Petition of citizens of twelfth congressional district of Indiana, against passage of House bill 9433; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of twelfth congressional district of Indiana, in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of the Grand Army of the Republic Post of Valparaiso, Ind., for passage of House bill 1; to the Committee on Invalid Pensions.

Also, petitions of German Societies of Lafayette and Logansport, Ind., protesting against prohibition and interstate liquor legislation; to the Committee on the Judiciary.

By Mr. COOPER: Petition of citizens of Elkhorn, Wis., for passage of Kenyon-Sheppard interstate liquor bill, and Sims bill to forbid interstate transmission of race-gambling odds and bets; to the Committee on the Judiciary.

By Mr. COVINGTON: Petitions of Berlin and Sharptown, Md., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of National Canners' Association, for reductions in the duties on sugar and tinned plate; to the Committee on Ways and Means.

Also, petition of National Canners' Association, for establishment of national bureau of health; to the Committee on Interstate and Foreign Commerce.

By Mr. DENVER: Petition of the Cheyenne Tribe, No. 53, Improved Order of Red Men, Lebanon, Ohio, favoring House bill 16313; to the Committee on Public Buildings and Grounds.

Also, petition of the Greenfield (Ohio) Woman's Christian Temperance Union, urging the enactment of the Hobson bill; to the Committee on the Judiciary.

Also, petition of the Sismamatha Tribe, No. 236, Improved Order of Red Men, of Macon, Ohio, favoring House bill 16313; to the Committee on Public Buildings and Grounds.

By Mr. ESCH: Petition of Camp No. 11, Department of Wisconsin, United Spanish War Veterans, for passage of House bill 17470; to the Committee on Pensions.

Also, petition of a German society of Racine, Wis., protesting against passage of prohibition or interstate liquor legislation; to the Committee on the Judiciary.

Also, petition of citizens of the State of Wisconsin, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Petition of Broadway Board of Trade, protesting against proposed abandonment of the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, memorial of Sons of the Revolution in the State of New York, for preservation of certain battle flags; to the Committee on Naval Affairs.

Also, memorials of Citizens' Association of Takoma Park, Md., urging the immediate enlargement of the Takoma Park Public School and protesting against exclusion from that school of residents of Takoma Park, Md.; to the Committee on the District of Columbia.

Also, memorial of New York State Assembly, for legislation authorizing compensation of State militia; to the Committee on Military Affairs.

Also, memorial of American Humane Society, protesting against Senate bill 252, to establish in the Department of Commerce and Labor a children's bureau; to the Committee on Labor.

By Mr. FLOYD of Arkansas: Petition of citizens of Arkansas, in favor of the Berger old-age pension bill; to the Committee on Pensions.

Also, resolution of Harrison Commercial Club, of Harrison, Ark., requesting Congress to pass appropriate legislation to provide for the preservation of the machinery and material used in the construction of the Panama Canal for use in the improvement of our rivers and harbors; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD of Virginia: Papers to accompany bill granting an increase of pension to Susan Johnson; to the Committee on Invalid Pensions.

By Mr. FORNES: Resolution of the Chamber of Commerce of the State of New York, for the exclusion of feeble-minded immigrants; to the Committee on Immigration and Naturalization.

Also, resolution of the Chamber of Commerce of the State of New York, urging an appropriation of \$25,000 for the establishment of marine schools, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

Also, a memorial of the Municipal Council of Valdez, Alaska, urging an appropriation of \$1,000,000 to maintain, extend, and build new wagon roads and trails in Alaska; to the Committee on the Territories.

Also, resolution of the Old Guard Camp, No. 19, Department of New York, United Spanish War Veterans, indorsing House bill 17470, providing a pension for the widows and minor children of Spanish War veterans; to the Committee on Pensions.

Also, resolutions of the Maritime Association of the port of New York and the Chamber of Commerce of Milwaukee, Wis., protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Sons of the Revolution in the State of New York, indorsing House bill 15471, appropriating \$30,000 for the repair and preservation of flags at the Naval Academy at Annapolis, Md.; to the Committee on Naval Affairs.

Also, petition of Buffalo (N. Y.) Cooperative Stove Co., in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the New York Produce Exchange, against the abolishment of the Remsen Board of Reference; to the Committee on Agriculture.

By Mr. FOSS: Petitions of citizens of Illinois, protesting against extension of parcel-post service beyond its present limitations; to the Committee on the Post Office and Post Roads.

Also, resolution of the Milwaukee (Wis.) Chamber of Commerce, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER of Illinois: Petition of J. M. Brown and other citizens, of Sandoval, Ill., protesting against the enactment

of further legislation in reference to parcel post; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: Petitions of citizens of the State of Idaho, protesting against passage of House bill 9433; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of Ottawa Business Men's Association, of Ottawa, Ill., favoring the passage of House bill 14489, concerning certain amendments to corporation-tax law as to the filing of annual reports; to the Committee on Ways and Means.

Also, petition of Woman's Board of Missions of Boston, Mass., favoring the reimbursement to American citizens of the Stone ransom; to the Committee on Claims.

Also, petition of Henry W. Farnam and others, of New York City, favoring the passage of the Esch phosphorus bill (H. R. 2896); to the Committee on Ways and Means.

By Mr. GOULD: Petitions of citizens of the State of Maine, for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. GRAHAM: Petition of Pawnee Tribe, No. 66, Improved Order of Red Men, of Springfield, Ill., in favor of Senate bill 3953 and House bill 16313, providing for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: Memorial of Merchants' Association of Ephrata, Pa., favoring House bill 16819; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of Michigan: Petitions of citizens of the State of Michigan, for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of South Haven, Mich., for passage of old-age pension bill; to the Committee on Pensions.

By Mr. HAMLIN: Petition of citizens of the State of Missouri, for passage of old-age pension bill; to the Committee on Pensions.

By Mr. HARDWICK: Petition of citizens of Jefferson and Glascock Counties, Ga., in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HARTMAN: Petitions of Granges Nos. 1309 and 1397, Patrons of Husbandry, of Woodbury and Bald Hill, Pa., for certain amendments to oleomargarine law; to the Committee on Agriculture.

Also, petitions of the Concordia Singing Society and the Turngemeinde, of Altoona, Pa., against any prohibition or interstate liquor legislation now pending; to the Committee on the Judiciary.

By Mr. HAWLEY: Petitions of citizens of the State of Oregon, for passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. HAYES: Petition of citizens of the State of California, for passage of old-age pension bill; to the Committee on Pensions.

Also, petition of the Woman's Christian Temperance Union of Campbell, Cal., for passage of Esch phosphorus bill; to the Committee on Ways and Means.

Also, petition of Peter F. Vandergon, of Morgan Hill, Cal., in favor of Kenyon-Sheppard interstate liquor bill, etc.; to the Committee on the Judiciary.

By Mr. HELGESEN: Petition of Methodist Episcopal Church of Drayton, N. Dak., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of citizens of the State of North Dakota, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HENRY of Connecticut: Petitions of citizens of East Windsor, Conn., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Petition of Reformed Church of Pompton Lakes, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. KENNEDY: Petition of the Woman's Christian Temperance Union of Argyle, Iowa, urging passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petition of the Woman's Christian Temperance Union of North Hudson, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. KITCHIN: Resolution of the Halifax County Division of the Farmers' Educational and Cooperative Union of America, at Halifax, N. C., in favor of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LAFFERTY: Petitions of the Woman's Christian Temperance Union of Joseph; Loyal Legion of Woman's Christian Temperance Union, Woman's Christian Temperance Union, Young People's Branch of Woman's Christian Temperance Union, and Epworth League of Methodist Church of Hermiston; and of citizens of Bend, Hermiston, Lents, and Prineville, all

in the State of Oregon, for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LANGHAM: Petition of Pennsylvania State Board of Agriculture, in favor of passage of Senate bill 4563; to the Committee on Agriculture.

Also, petition of the Woman's Christian Temperance Union of Fisher, Pa., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LOBECK: Petition of citizens of Nebraska, protesting against parcel post; to the Committee on the Post Office and Post Roads.

Also, petitions of Byrne & Hammer Dry Goods Co. and M. E. Smith & Co., of Omaha, Nebr., suggesting appointment of commission to investigate the parcel-post question; to the Committee on the Post Office and Post Roads.

Also, petition of Rev. A. W. Clark, corresponding secretary for Nebraska National Conference of Charities and Corrections, favoring bill for establishing Federal commission on industrial relations; also favoring bill for children's bureau; to the Committee on Labor.

Also, resolutions of the Sixth International Dry-Farming Congress, held at Colorado Springs, Colo., indorsing the Page bill; to the Committee on Agriculture.

By Mr. LOUD: Petition of citizens of Bay City, Mich., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. NEELEY: Petitions of citizens of Meade County, Kans., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. NYE: Memorial of Local No. 63, United Garment Workers of America, favoring removal of tax on oleomargarine; to the Committee on Agriculture.

Also, memorial of Local No. 63, United Garment Workers of America, protesting against enactment of Senate bill 2564 (Smoot printing bill); to the Committee on Printing.

Also, petition of citizens of Minneapolis, Minn., protesting against enactment of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. OLMSTED: Petition of citizens of Harrisburg, Pa., protesting against passage of Senate bill 237; to the Committee on the District of Columbia.

Also, petition of citizens of Harrisburg, Pa., protesting against passage of House bill 9433; to the Committee on the Post Office and Post Roads.

By Mr. PADGETT: Petition of citizens of the State of Tennessee, for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Tennessee, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. PARRAN: Papers to accompany bill for the relief of Joseph B. Girault (H. R. 14422); to the Committee on Naval Affairs.

Also, papers to accompany bill for the relief of Thirza M. Dolph (H. R. 19186); to the Committee on Pensions.

By Mr. REYBURN: Petition of Pennsylvania State Board of Agriculture, for passage of Senate bill 4563; to the Committee on Agriculture.

By Mr. ROBERTS of Massachusetts: Petitions of citizens of the seventh congressional district of Massachusetts, for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of Luncheon Club of Boston, Mass., for passage of House bill 12827; to the Committee on Military Affairs.

By Mr. SCULLY: Petition of the Atlantic Terra Cotta Co., of New York City, for certain amendments to House bill 20182; to the Committee on Ways and Means.

Also, petition of citizens of New Jersey, in favor of House bill 14, for extension of parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of the Presbyterian Church of New Brunswick, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. SHACKLEFORD: Petitions of business men and other citizens of Boonville, Centralia, Otterville, and Sturgeon, Mo., against parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the eighth congressional district of Missouri, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Columbia, Mo., for passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. SHEPPARD: Papers to accompany bill for the relief of Thomas F. Sutton (H. R. 20557); to the Committee on War Claims.

By Mr. SHERWOOD: Petition of Civil War veterans of Camden, Mich., favoring enactment of House bill 1; to the Committee on Invalid Pensions.

By Mr. SIMS: Petition of Camp No. 2, Department of Tennessee, United Spanish War Veterans, for passage of House bill 17470; to the Committee on Pensions.

By Mr. SPARKMAN: Resolution of the Board of Trade of Tampa, Fla., praying for the adoption of a 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. STEDMAN: Petition of citizens of Winston Salem, N. C., for passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petition of citizens of California, in favor of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. THAYER: Petitions of citizens of Worcester, Mass., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. UTTER: Papers to accompany House bill 20342, granting an increase of pension to Emeline N. Griffiths; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 20343, granting an increase of pension to Ellen Augusta Gifford; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 20341, granting an increase of pension to Ellen B. Knowles; to the Committee on Invalid Pensions.

Also, petitions of the Woman's Christian Temperance Union of Washington, of Coventry; the Woman's Christian Temperance Union of the Fairtuxet Valley, of Warwick; the Woman's Christian Temperance Union of Manton, of Johnston; the Woonsocket Universalist Church, of Woonsocket; and the Young Men's Christian Association of Woonsocket, all in the State of Rhode Island, for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Rhode Island Sorosis, a federated woman's club, of Providence, R. I., for a reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. VOLSTEAD: Petition of citizens of Pennock, Minn., protesting against extension of parcel-post service beyond its present limitations; to the Committee on the Post Office and Post Roads.

By Mr. WEBB: Petitions of citizens of Charlotte, N. C., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. WILLIS: Petitions of L. C. Nease and other citizens of Lewis Center, and T. F. Blakely and other citizens of Sunbury, Ohio, protesting the enactment of any legislation for the extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of New York: Petition of Woman's Board of Missions, for reimbursement of the Ellen M. Stone ransom; to the Committee on Claims.

Also, memorial of Sons of the Revolution in the State of New York, for preserving certain battle flags; to the Committee on Naval Affairs.

By Mr. YOUNG of Texas: Petition of citizens of Alba, Tex., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, February 22, 1912.

The Senate met at 12 o'clock m.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

O Thou who art the God of our fathers, we thank Thee for the providence which brings us to this day of sacred memory. Our fathers trusted in Thee, and were not ashamed. And now Thou hast increased Thy people greatly and hast strengthened us on every side. To us as to our fathers be Thou our hope and our stay. Defend us in the time of trouble and preserve our liberty, that we may keep unspoiled our priceless heritage.

We thank Thee for the life which we this day commemorate. As he, being dead, yet speaketh, incline our minds to heed his words of wisdom. Upon the altar of our hearts kindle anew the fire of patriotic devotion, that by Thy grace we may ever be that happy Nation whose God is the Lord.

And as Thou wast with our sires, so be Thou, O God, with their sons and with our children now and forevermore. Amen.

The Journal of yesterday's proceedings was read and approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. Pursuant to the order heretofore made by the Senate that upon this day Washington's Farewell Address shall be read to the Senate, and pursuant to the desig-

nation heretofore made by the Chair, the junior Senator from Indiana [Mr. KERN] will now read Washington's Address to the Senate.

Mr. KERN read the address, as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious; vicissitudes of fortune often discouraging; in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.